AN

ABRIDGMENT

OF

The Publick Statutes

OF

IRELAND.

NOW IN

FORCE and of general USE:

AND ALSO

Of ſuch ENGLISH and BRITISH STATUTES as relate to and bind *IRELAND*, from MAGNA CHARTA to the ſixth Year of the Reign of His preſent Majeſty King GEORGE III. incluſive.

WITH TABLES.

By ED. BULLINGBROOKE, Doctor of Laws.

VOLUME THE SECOND.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty.
MDCCLXVIII.

Directions to the Binder.

Cut up Sheet 4 S and paſte the firſt and ſecond Leaves on Sheet 4 R, and the ſingle Leaf 4 S 3 concludes the Firſt Volume.——Cancel the third Leaf of 4 S, and paſte the laſt Leaf of ditto on Sheet 4 T, immediately after the Title Half Sheet to the Second Volume.

AN

ABRIDGMENT

OF THE

PUBLICK STATUTES of *IRELAND*,

In FORCE and USE:

AND ALSO

Of ſuch ENGLISH and BRITISH STATUTES as relate to and bind *IRELAND*, from MAGNA CHARTA to the ſixth Year of the Reign of His preſent Majeſty King *GEORGE* III. incluſive.

Labourers.

I. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 9. The juſtices of peace in every county yearly in their ſeſſions to be holden within one month after Eaſter, and one month after the feaſt of Saint Michael, ſhall make proclamations, having reſpect to ſuch prices as victuals, cloth, and other neceſſaries then ſhall be at, how much every maſon, carpenter, ſclauter, and every other other artificer and labourer ſhall take by the day, as well in harveſt ſeaſon as any other time of the year, with meat and drink, and how much without meat and drink, betwixt both the ſaid ſeſſions. And alſo at the ſeſſions to be holden after Eaſter, how much every ſervant at huſbandry ſhall take by the year following with meat and drink. Adjuſting wages.

(2) And every of them ſhall obey ſuch proclamations, as a thing eſtabliſhed by act of parliament for a law in that behalf, upon pain of forfeiture, every one of the ſaid artificers, labourers, and ſervants, that ſhall take any thing contrary to the ſaid proclamations, the thing ſo taken, and impriſonment of their bodies, by the diſcretion of the ſaid juſtices. Obedience to proclamation.

(3) And *the* juſtices of peace at any ſeſſions ſhall determine the ſame offences, and the half of the ſaid forfeiture to be to the King, and half to them that ſhall give information, and every act before this time made concerning the limitation of wages for ſervants, artificers and labourers, *ſhall* be in that point only void. *This act is revived and made perpetual by Stat.* 11 *Eliz. ſeſſ.* 1. *cap.* 5. Determining offences.

Lamps.

Recital of the act 1 G. 3.

I. *Stat. 5 Geo. 3. cap. 15. ſect. 11. And whereas by an act made in the firſt year of his preſent Majeſty's reign*, for reviving, continuing, and amending ſeveral temporary ſtatutes, and for other purpoſes therein mentioned; *the ſeveral proviſions made by an act paſſed the preceding ſeſſion*, for the more effectual enlighting the city of Dublin, and the liberties thereof; and for the erecting of publick lights in other cities, towns-corporate, and market-towns in this kingdom, *were extended to ſeveral cities and towns-corporate, to which there was ſome doubt whether the ſaid laſt recited act extended: and whereas it has been found that the ſaid proviſions have not fully anſwered the good purpoſes thereby intended*; it *is* enacted, that in every city, for the lighting of which no particular proviſion is made by any act of parliament now in force, the ſeveral and reſpective pariſhes in ſuch cities, ſhall, at their reſpective veſtries, which the miniſters of the reſpective pariſhes, or their curates, are hereby required to call on the firſt day of June one thouſand ſeven hundred and ſixty-ſix, and afterwards on the Monday next enſuing the twenty-fifth day of March in every year, determine the ſize, ſort, form, and number of lamps to be erected, and in what ſtreets or places, and in what manner, and at what diſtances the ſame ſhall be ſet up, and in what nights, and for what hours the ſame ſhall be lighted and kept burning, and ſhall make an eſtimate of the expences thereof, and ſhall make ſuch contracts for the erecting, lighting, and repairing ſuch lamps as they ſhall judge moſt expedient for the publick ſervice.

Pariſhes in cities. Veſtry to be called.

Eſtimates for lamps.

Intitled to vote.

(2) And every inhabitant in ſuch city being the head of a family, and paying five pounds yearly rent, or upwards, or being the occupier of a houſe within ſuch city, of ſuch yearly value as aforeſaid, ſhall be intitled to a vote in the veſtry of that pariſh within which he reſides.

Adjournment of veſtries.

II. *ſect.* 12. And ſuch veſtries the better to enable them to carry this act into execution, ſhall have power to adjourn from time to time for the ſpace of ten days, and no more, from the firſt day of their ſaid reſpective meetings incluſive.

Rateable charge on houſes.

III. *ſect.* 13. *And to the end that the expences of erecting, lighting, and maintaining ſuch lamps, may be equally borne by the inhabitants of ſuch cities*, it *is* enacted, that the occupiers of all ſuch houſes as are already rated for miniſters money, ſhall be rateably charged in proportion to the miniſters money payable for their ſaid houſes.

Applotters to be ſworn.

IV. *ſect.* 14. And the ſaid ſeveral and reſpective pariſhes ſhall, at their ſaid reſpective veſtries, appoint four perſons, who ſhall, upon oath to be adminiſtered to them by their reſpective miniſters or curates, value and eſtimate the yearly value of all ſuch houſes as are not rated for miniſters money in the ſaid reſpective pariſhes, and who ſhall return the ſame to the reſpective veſtries, who ſhall confirm or alter the ſame, in ſuch manner as ſhall be agreeable to juſtice.

Valuation of houſes.

V. *ſect.* 15. All the occupiers of all ſuch houſes ſhall be rateably charged in proportion to the miniſters money, and ſuch valuation, with the yearly ſum to be paid by them towards the expence of erecting, lighting, and maintaining ſuch lamps, and ſhall pay the ſame yearly to the perſons appointed to collect the ſame, as herein after is mentioned, and after refuſal or neglect to pay the ſame after reaſonable demand thereof, ſuch collectors are hereby impowered to levy the ſame by diſtreſs and ſale of the goods of ſuch occupier ſo refuſing, and alſo one ſhilling for the expence of ſuch diſtreſs.

Diſtreſs and ſale of goods.

Collectors of the aſſeſſments.

VI. *ſect.* 16. The ſaid ſeveral and reſpective pariſhes ſhall at their reſpective veſtries ſo held as aforeſaid, yearly chuſe two ſubſtantial honeſt and diſcreet inhabitants of their ſaid reſpective pariſhes, to collect the money ſo aſſeſſed upon the inhabitants of the ſaid reſpective pariſhes, and to overſee and direct the erecting, lighting, and maintaining the ſaid lamps in the ſaid reſpective pariſhes, and to allow ſuch perſons,

as

as a reward for their trouble and expence about the ſame, ſuch ſum as ſuch veſtries ſhall think reaſonable; provided that ſuch ſums do not exceed in the whole the ſum of ſix-pence in the pound, of ſuch ſums as they ſhall ſo collect. Allowances to collectors.

VII. *ſect.* 17. Provided that the perſons ſo choſen, ſhall, before they ſhall enter upon their ſaid reſpective offices, give ſufficient ſecurity to the reſpective miniſters of ſuch pariſhes, for the due execution of their ſaid reſpective offices, and to account duly for ſuch ſums as they ſhall ſo collect. Security to be given.

VIII. *ſect.* 18. If the miniſter or curate of any of the ſaid pariſhes ſhall refuſe or neglect to call and hold veſtries for the purpoſes herein before mentioned, at the reſpective times herein before mentioned, ſuch miniſter or his curate ſhall, upon complaint made thereof to any one of the next going judges of aſſizes, and proof upon oath of ſuch refuſal or neglect, ſuch miniſter or curate ſhall be fined for every ſuch refuſal or neglect, in any ſum ſuch judge ſhall think proper, not exceeding the ſum of one hundred pounds. Neglect to hold veſtries. Penalty for neglect.

Leaſes.

I. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 6. *ſect.* 1. All leaſes made of any manors, lands, &c. by writing indented under ſeal for term of years or life, by any perſons of full age, having any eſtate of inheritance, either in fee ſimple or in fee tail, in their own right, or in the right of their wives, or jointly with their wives, ſhall be good in the law againſt the leſſors, their wives and heirs. Leaſes for years or life.

II. *ſect.* 2. This act ſhall not extend to any leaſes to be made of any lands, &c. being in the hands of any farmers by virtue of any old leaſe, unleſs the ſame old leaſe be expired, ſurrendered, or ended within one year next after the making of the ſaid new leaſe, nor ſhall extend to any grant of any reverſion, nor to any leaſe of lands, &c. which have not moſt commonly been letten to farm by the ſpace of twenty years next before ſuch leaſe made, nor to any leaſe to be made without impeachment of waſte, nor to any leaſe to be made above one and forty years or three lives, from the day of the making thereof. Old leaſes unexpired. Grants of reverſions, &c.

(2) And upon every ſuch leaſe there *ſhall* be reſerved yearly, payable to the leſſors and their heirs to whom the reverſion ſhall appertain, ſo much rent or more as hath been moſt accuſtomably paid for the lands, &c. ſo *to* be letten within twenty years next before ſuch leaſe made; and every perſon to whom the reverſion of ſuch lands ſhall appertain after the death of ſuch leſſors, ſhall have like remedy againſt the leſſees thereof, their executors and aſſigns, as the leſſor might have had. Reſervation of rent.

III. *ſect.* 3. Provided, that the wife be made party to every ſuch leaſe made by her huſband of any lands, &c. being the inheritance of the wife, and that every ſuch leaſe be made by indenture in the name of the huſband and wife, and ſhe to ſeal the ſame, and that the rent be reſerved to the huſband and wife, and to the heirs of the wife according to the eſtate of inheritance in the ſame, and that the huſband ſhall not alien the rent reſerved longer than during coverture, without it be by fine levied by the ſaid huſband and wife. Wife to be a party.

IV. *ſect.* 4. No fine, feoffment, or other act done by the huſband only of any lands, being the inheritance of freehold of his wife during the coverture between them, ſhall be any diſcontinuance thereof, or be prejudicial to the wife or her heirs, &c. but that the wife or her heirs may enter according to their rights therein, fines levied by the huſband and wife, whereunto the ſaid wife is party and privy, only excepted. Acts by the husband only.

V. *ſect.* 5. Provided, that this act extend not to give liberty to any wife or to her heirs, to avoid any leaſe made of any inheritance of the wife by her huſband and her according to the tenor of this act. *Eng. Stat.* 32 *Hen.* 8. *cap.* 28. Leaſes by huſband and wife.

VI. *Stat.*

Leaſes by beneficed perſons.

VI. *Stat.* 10 & 11 *Car.* 1. *cap.* 2. *ſect.* 7. All gifts, grants, alienations, leaſes, forfeitures, charges, and incumbrances, impoſed or ſuffered by any parſon, vicar, or beneficer of any benefice, having cure of ſouls, of or upon his benefice, ſhall ſtand in force for ſuch time only as ſuch parſon, vicar, or other beneficer ſhall be reſident upon his ſaid benefice, without abſence from the ſame above eighty days in any one year. *Eng. Stat.* 13 *Eliz. cap.* 20. *ſect.* 1.

Bonds and aſſurances void.

VII. *ſect.* 8. All covenants, bonds, ſtatutes merchant and of the ſtaple, recognizances, judgments, and other aſſurances whatſoever, hereafter made by any ſuch beneficer, or collaterally on his behalf, for the enjoying of the houſes, lands, tithes, and other profits of ſuch benefices for any longer time than as aforeſaid, or whereby any ſuch beneficer ſhall be compellable to reſign his benefice, and all covenants, bonds, and other aſſurances, to be made to force ſuch beneficer to be reſident, for the upholding of any grant, leaſe, alienation, or charge made as aforeſaid, and allowed to ſtand in force during ſuch reſidence as above is expreſſed, ſhall be void. *Eng. Stat.* 14 *Eliz cap.* 11. *ſect.* 15. *and* 43 *Eliz. cap.* 9. *ſect.* 8.

Glebes upon plantation lands.

VIII. *ſect.* 9. Provided, that if the King, upon any plantation made within this realm, ſhall endow any parſon or vicar and their ſucceſſors with any glebe-lands, the incumbent thereof for the benefit of the plantation, may by the licence of the lord deputy, and of the privy council, make any leaſes of ſuch glebe-lands whereof they ſhall upon ſuch plantation be newly endowed, not exceeding twenty-one years from the time of ſuch endowment made, under ſuch rents and reſervations, as ſhall by the lord deputy and council be directed.

Leaſes by biſhops, &c. void.

IX. *Stat.* 10 & 11 *Car.* 1. *cap.* 3. *ſect.* 1. All feoffments, gifts, grants, and leaſes, alienations, conveyances, eſtates, charges, and incumbrances, made by any biſhops or other dignitaries eccleſiaſtical, parſons, vicars, maſters and fellows of colleges, and maſters or governors of hoſpitals, of any lands, &c. being parcel of the poſſeſſions of any ſuch biſhop, dignitary, parſon, vicar, &c. other than ſuch leaſes and grants as in this act or in any other act made in this parliament, are authorized to be made, ſhall be void. *Eng. Stat.* 1 *Eliz. cap.* 19. *ſect.* 7. *and* 13 *Eliz. cap.* 10. *ſect.* 3.

Grants of offices.

X. *ſect.* 2. Provided that it ſhall be lawful for all biſhops, and other the ſaid dignitaries eccleſiaſtical, and for the maſters and fellows of colleges and hoſpitals, to grant any ancient office concerning their lands or other poſſeſſions, or concerning the attendance upon their perſons or churches, together with all the like penſions, annuities, fees, and other profits, as were formerly accuſtomed to be granted, had, and enjoyed therewith.

Demiſes for 21 years.

(2) And alſo by their writing indented under their reſpective ſeals of office, a counterpart whereof ſhall be entered in the reſpective regiſter books of the ſaid biſhops, deans and chapters, and of the ſaid colleges and hoſpitals, for the benefit of ſucceſſion, to demiſe the land, or other hereditaments belonging to their reſpective churches, colleges, and hoſpitals, the dwelling-houſes for the moſt part of forty years now laſt paſt uſed for their habitations and demeſne lands thereunto belonging, and therewithal during the ſaid time commonly uſed and occupied as the demeſnes of the ſaid houſes, only excepted, unto any perſons for the term of one and twenty years from the time of the making thereof, whereof there ſhall be no other leaſe or eſtate then in being, which ſhall not be determined within the ſpace of one year then next coming.

Rent to be a moiety of the value.

(3) Upon which leaſes ſhall be reſerved payable unto the ſaid leſſors and their ſucceſſors, during the ſaid term of one and twenty years, ſo much yearly rent at the peril of the leſſees, as the moiety of the true value of the ſaid lands, &c. *communibus*

nibus annis at the time of the making of ſuch leaſe ſhall amount unto, as the ſame ſhall appear upon a trial between the ſucceſſors of ſuch leſſors, if they ſhall queſtion the ſame, and the ſaid leſſees or their aſſignees by verdict of twelve indifferent perſons at the common law, which verdict ſhall be peremptory to both parties and their reſpective ſucceſſors and aſſigns during the ſaid term, in which leaſes ſhall be contained no power for ſuch leſſees or their aſſignees to commit waſte, or to be diſpuniſhable of waſte.

Part of this clauſe, which related to aſcertaining the value of lands by the certificate of commiſſioners, is repealed by Stat. 11 Geo. 2. cap. 15. ſect. 1. *See Par.* XXXII.

XI. *ſect.* 3. Provided that it ſhall be lawful for the ſaid biſhops, and other dignitaries eccleſiaſtical, and their ſucceſſors, and unto the ſaid maſters and fellows of colleges and hoſpitals, and to their ſucceſſors, by the licence of the chief governors and council of ſtate of this kingdom, to make leaſes for a longer term than one and twenty years of their lands fit for the neceſſary building of fortreſſes, &c. for ſuch term, and in ſuch ſort as ſhall be thought fit by the King, or the chief governors and council. Land for fortreſſes.

XII. *ſect.* 4. Whereas there have been fee-farms and long leaſes in being of divers lands formerly belonging unto biſhops and dignitaries eccleſiaſtical, parſons, vicars, and unto colleges and hoſpitals, it ſhall be lawful for them in conſideration of the re-aſſignment, ſurrender and taking in of any fee-farms, leaſes or eſtates, and upon further improvement of the yearly rents to be reſerved and paid to them and their ſucceſſors, with the licence of the chief governors and council, to make any leaſes for ſixty years or under, of ſuch fee-farm lands, and of ſuch leaſed lands for the like term, or for fewer years if the ſaid leaſes were for fewer years. Leaſes of fee-farms.

XIII. *ſect.* 5. And it ſhall be lawful for any the ſpiritual perſons, colleges and hoſpitals before mentioned, by their like writings indented ſealed, entered and inrolled as aforeſaid, to make any leaſes for forty years under the like valuable rent as is afore expreſſed, of their houſes belonging to their churches, colleges or hoſpitals, and of the curtilages appertaining to the ſame, which are ſituate within any city, town-corporate or market-town, ſo as the ſame be not of any their manſion-houſes, or of any the curtilages, gardens or orchards belonging thereto. Houſes in towns-corporate.

XIV. *ſect.* 6. All the rents and yearly profits above reſerved, or by this act limited to be reſerved upon the making of the leaſes above-mentioned, after ſuch leaſes and reſervations made, ſhall continue payable unto the ſaid leſſors and their ſucceſſors, during the ſaid leaſes and terms, and ſhall by no means be aliened or diſcharged to the prejudice of the ſucceſſors of ſuch leſſors. Rents payable to ſucceſſors.

XV. *ſect.* 7. Provided that this act ſhall not reſtrain James lord archbiſhop of Armagh, but that he may make ſuch leaſes, and for ſuch terms as are mentioned in his Majeſty's patents granted in that behalf. Archbiſhop of Armagh.

XVI. *Stat.* 17 & 18 *Car.* 2. *cap.* 2. *ſect.* 11. All gifts, grants, and other conveyances to be made by any archbiſhop or biſhop of any lands or hereditaments, which by virtue of, or in purſuance of this or the former act, *for the better execution of his Majeſty's gracious declaration for the ſettlement of his kingdom of Ireland*, have been or ſhall be granted unto or ſettled upon any archbiſhop or biſhop, and his ſucceſſors, as an augmentation of the revenue of ſuch archbiſhoprick or biſhoprick reſpectively, other than for the term of twenty one years, or three lives, from ſuch time as any ſuch leaſe, grant or aſſurance ſhall begin, and whereupon the full moiety of the yearly value and improved rent, as the ſame are now worth to be let, Augmentation lands.

ſhall be reſerved and payable during the ſaid term of twenty one years, ſhall be void.

Tithes only during incumbency.

XIX. *Stat.* 6 *Geo.* 1. *cap.* 14. *ſect.* 1. Every deanery, archdeaconry, dignity and prebend of a cathedral church, the corps whereof conſiſts of one or more pariſhes, or parts of pariſhes where no vicarage at preſent is endowed, ſhall be ſo far deemed as a benefice having cure of ſouls within the act 10 & 11 *Car.* 1. *cap.* 2. as that no leaſe or grant of any part of the tithes to any ſuch deanery, archdeaconry, dignity or prebend belonging, ſhall be good for any longer term than during the incumbency of ſuch dean, &c.

Saving for former leaſes.

XX. *ſect.* 2. Provided that nothing in this act ſhall extend to avoid any leaſe or grant made by any dean, archdeacon, or prebendary having cure of ſouls as abovementioned, before the firſt day of July 1719, but that the ſame ſhall be of the ſame and no other force, as the ſame would have been if this act had never been made.

Leaſes of tithes void.

XXI. *ſect.* 3. If any dignitary or prebendary of any cathedral church, or any other eccleſiaſtical perſon being rector of any pariſh where there is a vicarage endowed, ſhall ſet the tithes belonging to his dignity, prebend, or rectory, for any longer time than during his incumbency, except where ſuch tithes have been ſet in leaſe for the greateſt part of thirty years laſt paſt, ſuch leaſe ſhall be void as to the ſucceſſor.

Bogg or fenny ground.

XXII. *Stat.* 12 *Geo.* 1. *cap.* 10. *ſect.* 13. It ſhall be lawful for archbiſhops with the conſent of the chief governors of this kingdom, under their hands and ſeals, and for biſhops with the conſent of the archbiſhop of the province, under his hand and archiepiſcopal ſeal, to leaſe any bogg or fenny grounds appertaining to their demeſne lands, for any term not exceeding ſixty years in poſſeſſion without fine, reſerving the moſt improved rent that can be got for ſuch bogg or fenny ground at the time of making ſuch leaſe.

Sufficient land and turbery.

XXIII. *ſect.* 14. Provided that every ſuch archbiſhop or biſhop, over and above ſuch boggy and fenny grounds ſo to be demiſed, ſhall be poſſeſſed of three hundred acres plantation meaſure of good arable and paſture lands belonging to his dwelling-houſe as demeſne, and ſhall reſerve a turbery ſufficient for the uſe of ſuch dwelling-houſe and the tenants of ſuch demeſne lands.

Renewals limited.

XXIV. *ſect.* 15. Provided alſo, that no ſuch leaſe ſhall be renewed for any longer term than twenty one years, and that at every ſuch renewal the ſaid land ſhall be ſet at three fourths of the full value at the time of ſuch renewal.

Separate leaſes to tenants.

XXV. *ſect.* 16. It ſhall be lawful for every archbiſhop, with the conſent of the chief governors of this kingdom, and for every biſhop, with the conſent of the archbiſhop of the province granted in the manner herein before directed, to make ſeparate leaſes of all ſuch tracts of boggy and fenny grounds which lie contiguous to any of their lands, to the reſpective tenants of ſuch lands, or if out of leaſe to any perſons, for any term not exceeding ſixty years in poſſeſſion without fine, and at the higheſt rent that can be had for the ſame.

Including profitable land.

XXVI. *ſect.* 17. Provided that if any archbiſhop or biſhop under colour of the powers hereby granted to demiſe for the term of ſixty years, any tract of boggy and fenny grounds, ſhall include in ſuch demiſes any of the profitable lands belonging to ſuch farms, or ſhall diminiſh the yearly rent that at the time of making ſuch leaſe of ſixty years, ſhall be reſerved upon ſuch farm *to* which ſuch tracts of boggy and fenny grounds are contiguous, or include in any ſuch leaſe any other lands belonging to their reſpective fees, every ſuch leaſe ſhall be void.

XXVII. *ſect.*

XXVII. *ſect.* 18. Provided alſo that after the expiration, ſurrender, or other determination of ſuch leaſe to be made by virtue of this act, not exceeding ſixty years, no other leaſe of ſuch boggy or fenny grounds, nor in any other manner ſhall be made than is preſcribed by an act 10 & 11 *Car.* 1. *cap.* 3. Expiration of leaſes of bogg.

XXVIII. *Stat.* 1 *Geo.* 2. *cap.* 15. *ſect.* 12. It ſhall be lawful for every rector, vicar, or other incumbent of any pariſh in any city or town corporate, with the conſent of the patron of ſuch pariſhes, and ordinary of the dioceſe, to demiſe any houſe or ground to him belonging in any city or town corporate, for any term not exceeding ſixty one years, without taking any thing by way of fine, at the full improved rent, ſo as ſuch leaſe be not made to commence *in futuro*, and ſo as in ſuch leaſe the rent be reſerved and made payable to ſuch incumbent and his ſucceſſors, and ſo as every ſuch houſe or lot of ground ſo let, be certified by the archbiſhop of the province, and the biſhop of the dioceſe under their archiepiſcopal and epiſcopal ſeals, to be over and above what is ſufficient for the convenient reſidence of the incumbent, and ſo as ſuch certificate and ſuch leaſe be entered in the regiſtry of the dioceſe. Leaſes in cities and towns-corporate.

XXIX. *ſect.* 13. Where any ſuch leaſe ſhall be made and entered as aforeſaid, it ſhall be lawful for every ſuch incumbent to renew ſuch leaſe for any term not exceeding forty years, ſo as the former rent be not leſſened, without any new certificate from the archbiſhop or the biſhop. Renewals for forty years.

XXX. *ſect.* 14. Provided that ſuch renewed leaſe be entered in the regiſtry of the dioceſe where ſuch houſe or ground ſhall lie. Entry in the regiſtry.

XXXII. *Stat.* 11 *Geo.* 2. *cap.* 15. *ſect.* 1. So much of the act 10 & 11 *Car.* 1. *cap.* 3. as relates to the commiſſion under the great ſeal of this kingdom, and any ſuch certificate thereupon *as is mentioned in the ſaid act*, ſhall be repealed and void. Repeal of a clauſe.

XXXIII. *ſect.* 2. On the perfection of any leaſes in purſuance of the ſaid act, the reſpective leſſors ſhall file counterparts of ſuch leaſes in their reſpective regiſtries for the benefit of their ſucceſſors, for which the regiſter ſhall have from every ſuch leſſee the fee of twenty ſhillings, to be recovered in caſe of refuſal by civil bill before the judges of aſſiſe, or the juſtices of the peace at their quarter-ſeſſions in the county of Dublin, or county of the city of Dublin. Counterparts of leaſes to be regiſtered.

(2) And on paying ſuch fee when demanded, the reſpective leſſees in ſuch leaſes ſhall be ſubject to no loſs or penalty, for not entring counterparts of ſuch leaſes in the reſpective regiſter books of the ſaid archbiſhops, biſhops, deans, deans and chapters, and of the ſaid colleges and hoſpitals, nor ſhall the ſaid leaſes be avoided for default thereof. Paying fee on demand.

XXXV. *Stat.* 15 *Geo.* 2. *cap.* 5. *ſect.* 2. It ſhall be lawful for any archbiſhop on the application of any biſhop of his province, to grant a commiſſion to five or more credible perſons, impowering any three of them to view the demeſne lands belonging to ſuch biſhop, and cauſe a ſurvey to be taken, and a map to be made thereof, and in ſuch map to diſtinguiſh and ſet apart, ſuch part of ſaid lands as they ſhall judge ſufficient for a demeſne for a biſhop of that ſee, as actually reſident, for the ſupport of his houſe and keeping hoſpitality, and the nature and quality thereof, and to certify the ſame under their hands and ſeals to the ſaid archbiſhop or his ſucceſſors, in which commiſſion a power ſhall be given to two or more juſtices of the peace of the counties in which the ſaid demeſne lands ſhall lie, to adminiſter an oath to the ſaid commiſſioners juſtly and faithfully to execute the ſaid commiſſion, according to the beſt of their ſkill and knowledge, which oath the commiſſioners who ſhall make ſuch certificate, ſhall accordingly take. Surveying demeſne-lands.

Setting out demeſne.

(2) On return of which certificate and map it ſhall be lawful for the archbiſhop of the ſaid province by writing under the archiepiſcopal ſeal to ſet out a proper demeſne for ſuch biſhop, not containing leſs than two hundred and fifty acres profitable land plantation meaſure, and to cauſe a map thereof to be made and affixed to ſuch writing.

Demiſing the remainder.

(3) Which writing and map, and the ſaid certificate, ſhall be lodged in the regiſtry of the archbiſhop, and a duplicate thereof in the ſaid biſhops regiſtry, and the ſaid lands ſo ſet out as demeſne, ſhall be taken to be the demeſne lands belonging to the ſaid biſhop and his ſucceſſors, and from thenceforth it ſhall be lawful for ſuch biſhop and his ſucceſſors to demiſe the remaining part of the ſaid demeſne lands, for ſuch terms as is herein after mentioned, that is to ſay, all ſuch lands as do lie within any town corporate or market-town, or within half a mile thereof, for any term not exceeding forty years in poſſeſſion, and the reſidue of ſuch lands for ſuch term of years as by the laws now in being, he is impowered to demiſe other lands to the biſhoprick belonging.

Term of leaſes.

Full yearly value.

XXXVI. *ſect.* 3. Provided that the full yearly value of ſuch remaining part of the ſaid demeſne lands as ſhall be demiſed purſuant to this act, at the time of leaſing the ſame, without any fine, ſhall be always reſerved to the archbiſhop or biſhop demiſing the ſame, and his ſucceſſors.

Reſtrictions in leaſing.

XXXVII. *ſect.* 4. If any archbiſhop or biſhop, under colour of the powers hereby granted to demiſe for the term of forty years, any of their now demeſne lands which ſhall not be ſet out as demeſne lands purſuant to this act, and which lie within a town-corporate or market-town, or within half a mile thereof, ſhall include in ſuch demiſes any other lands belonging to their reſpective ſees, which lie at a greater diſtance than half a mile from a town-corporate, or market-town, or ſhall demiſe more than ten acres of the ſaid lands, to or in truſt for any one perſon, every ſuch leaſe ſhall be void.

The firſt clauſe of this act is amended and partly re-enacted by Stat. 19 Geo. 2. cap. 16. *and is therefore omitted.*

Archbiſhops demeſne-lands.

XXXVIII. *Stat.* 19 *Geo.* 2. *cap.* 16. *ſect.* 1. It ſhall be lawful for the lord lieutenant, or chief governors, on the application of any archbiſhop, to grant a commiſſion in like manner as is by the act 15 *Geo.* 2. *cap.* 5. provided in the caſe of biſhops, to five or more credible perſons, impowering any three of them to view the demeſne lands belonging to ſuch archbiſhoprick, and cauſe a ſurvey to be taken, and a map made thereof, and in ſuch map to diſtinguiſh and ſet apart, ſuch part, not leſs than two hundred and fifty acres plantation meaſure of the ſaid lands, as they ſhall judge ſufficient for a demeſne for an archbiſhop of that ſee, and the nature and quality thereof, and to certify the ſame under their hands and ſeals to the lord lieutenant or chief governors, in which commiſſion a power ſhall be given to two or more juſtices of the peace of the county wherein the ſaid demeſne lands, or any part of them, in caſe they are in different counties, ſhall lie, to adminiſter an oath to ſuch commiſſioners, juſtly and faithfully to execute the ſaid commiſſion according to the beſt of their ſkill and knowledge, which oath the commiſſioners, who ſhall make ſuch certificate ſhall accordingly take.

Setting out demeſnes.

(2) On return of which certificate and map, it ſhall be lawful for the lord lieutenant or governors by writing under their hands and ſeals, to ſet out a proper demeſne for ſuch archbiſhop, not containing leſs than two hundred and fifty acres plantation meaſure, and to cauſe a map thereof to be made and affixed to ſuch writing, which writing and map, and alſo the ſaid certificate ſhall be lodged in the archbiſhop's regiſtry, and the lands ſo ſet out as demeſne or menſal lands, ſhall be the demeſne lands belonging to the ſaid archbiſhop and his ſucceſſors.

(3) And

Leaſes.

(3) And from thenceforth it ſhall be lawful for ſuch archbiſhop and his ſucceſſors, to demiſe the remaining part of the ſaid demeſne lands, for ſuch terms as is herein after mentioned, that is to ſay, all ſuch lands as do lie within any town corporate or market-town, or within half a mile thereof, for any term not exceeding forty years in poſſeſſion, and the reſidue of ſuch lands for ſuch term of years as by the laws now in being he is impowered to demiſe other lands to the ſaid archbiſhoprick belonging. Demiſing the remainder.

XXXIX. *ſect.* 2. Provided that the full yearly value of ſuch part of the ſaid demeſne lands as ſhall be demiſed purſuant to this act, at the time of leaſing the ſame, without any fine, ſhall be always reſerved to the archbiſhop demiſing the ſame, and his ſucceſſors, and that no more than ten acres plantation meaſure of ſuch part of the ſaid demeſne as ſhall lie within any town-corporate or market-town, or within half a mile thereof, ſhall be demiſed by ſuch archbiſhop to, or in truſt for any one perſon. Full yearly value.

Leaſe and Releaſe.

I. *Stat.* 9 *Geo.* 2. *cap.* 5. *ſect.* 6. In all caſes the recital of a leaſe for a year in the deed of releaſe, ſhall be taken to be full and ſufficient evidence of ſuch leaſe. Recital of leaſe for a year.

II. *Stat.* 1 *Geo.* 3. *cap.* 1. *ſect.* 1. An act in the ninth year of his late Majeſty, *for the more effectual aſſigning of judgments, and for the more ſpeedy recovery of rents by diſtreſs*; ſo far forth as the ſame relates to the making the recital of a leaſe for a year, in the deed of releaſe, evidence of ſuch leaſe ſhall be in force for ever. Continuation.

III. *ſect.* 2. In all caſes of pleading deeds of leaſe and releaſe, wherein it may be neceſſary to alledge the bringing ſuch deeds into court, it ſhall be ſufficient to alledge the bringing into court the deed of releaſe, in which the recital of ſuch leaſe ſhall be as effectual as producing the ſame. Pleading of releaſe.

Leather.

I. *Stat.* 3 *Geo.* 2. *cap.* 33. *ſect.* 1. *Whereas ſeveral frauds have been committed in the tanning and drying of hides for exportation, which is a great injury in trade; for remedy whereof*, every tanner or other perſon employed in the tanning of hides, ſhall fleſh the hide of every cow, ox, and bull, intended to be tanned by him in a clean merchantable manner, and ſhall alſo cut out the ears by the roots, and ſhall cut off the brich piece, the noſe and lips, and the dew claws, before he ſhall put ſuch hide into the tann-pit, and every perſon offending in any of the above particulars, ſhall forfeit for every hide which ſhall not be ſo trimmed, two ſhillings and ſixpence, to be recovered as herein after is mentioned. Frauds in tanning, &c. Tanners ſhall fleſh hides.

II. *ſect.* 2. No tanner or other perſon ſhall expoſe to ſale any tanned hide, unleſs the firſt letter of the chriſtian-name and ſir-name at length, and the town in or near which he lives, in large and legible characters, of the tanner of ſuch hide ſhall be ſtamped on the collet of ſuch hide, and if the ſame be the hide of a bull, unleſs the word (bull) be ſtamped on the collet of the ſame; and every perſon offending in any of the ſaid laſt mentioned particulars, ſhall for every tanned hide ſo expoſed to ſale, without being ſtamped as aforeſaid, forfeit two ſhillings and ſix-pence, to be recovered in the manner herein after mentioned. Tanned hides to be marked. Bull's hides.

III. *ſect.* 3. It ſhall not be lawful for any perſon to buy or ſell any tanned hides for exportation within the city of Dublin, or the liberties thereunto adjoyning, unleſs at ſome publick crane which is now uſed, or ſhall hereafter be appointed for weighing of leather, and every perſon who ſhall ſell any tanned hides for exportation, at any Place for ſale of hides.

any other place within the ſaid city, or the liberties thereunto adjoyning, ſhall forfeit for every hide ſo ſold, two ſhillings and ſix-pence, to be recovered as herein after mentioned.

Hides to be well tanned, &c.

IV. *ſect.* 4. No tanner or other perſon ſhall expoſe to ſale any tanned hide which ſhall not be well and ſufficiently tanned and dried, and in caſe any difference ſhall ariſe between the buyer or ſeller concerning the tannage or dryneſs of any ſuch hide, the ſame ſhall be determined by two ſkilful perſons, one to be choſen by each of the parties.

Differences determined, &c.

Not agreeing.

(2) And in caſe they ſhall not agree, then the perſons who ſhall think themſelves aggrieved, ſhall apply to the lord mayor of the city of Dublin, or to the chief magiſtrate of every other place where ſuch difference ſhall happen, which ſaid lord mayor or chief magiſtrate ſhall immediately ſummon the ſaid parties as well as the ſaid referees before him, and the ſaid lord mayor or chief magiſtrate ſhall there name one proteſtant tanner ſuch as he ſhall think fit, as a referee, along with the ſaid two perſons who ſhall be choſen by the buyer and ſeller as aforeſaid, and ſhall ſwear the ſaid three referees to do equal juſtice between the parties, and the determination of ſuch three referees, or of any two of them, ſhall be final and concluſive to all parties.

Summons to the parties.

Referees to be choſen.

Determination concluſive.

Neglecting ſummons.

V. *ſect.* 5. In caſe the ſaid perſons ſo choſen as referees by the buyer or ſeller, ſhall neglect or refuſe to obey the aforeſaid ſummons, or that they or the ſaid referees, who ſhall as aforeſaid be named by the ſaid lord mayor or chief magiſtrate, ſhall neglect or refuſe to determine ſuch difference within twenty four hours after they ſhall be ſworn as aforeſaid, then each and every of ſuch perſons ſo offending, ſhall forfeit twenty ſhillings ſterl. to be levied by warrant under the hand and ſeal of the ſaid lord mayor, or ſuch chief magiſtrate, of the goods of ſuch offender, and to be by ſuch lord mayor or chief magiſtate, paid over to the church-wardens of the pariſh where ſuch difference firſt aroſe, to be diſtributed among the poor of the ſaid pariſh, and the ſaid lord mayor or chief magiſtrate, ſhall then name two or three perſons, ſuch as he ſhall think fit, and ſware them to determine the diſputes aforeſaid.

Referees refuſing,

Forfeit twenty ſhillings.

To the uſe of the poor.

Hides condemned.

VI. *ſect.* 6. And in caſe any hides ſhall be condemned in the manner herein before mentioned, as not ſufficiently tanned or dryed, every tanner or other perſon who ſhall have offered ſuch hides to ſale, ſhall for every ſuch hide ſo offered to ſale, forfeit two ſhillings and ſix pence, to be recovered as herein after mentioned.

Merchants colluding.

(2) And in caſe any merchant or other perſon ſhall by colluſion with any tanner, or otherwiſe buy any hides for exportation which ſhall not be merchantably tanned and dryed, ſuch merchant ſhall for every ſuch offence forfeit two ſhillings and ſix pence for each unmerchantable hide as aforeſaid, to be recovered as herein after mentioned.

Merchants exporting, &c.

VII. *ſect.* 7. Every merchant or other perſon who ſhall attempt to export any hides not marked or ſtamped as herein before is directed, or who ſhall neglect to enter the hides ſo brought in the craner's book in their own names at length, ſhall for every ſuch hide ſo attempted to be exported, or which ſhall not be ſo entered as aforeſaid, forfeit two ſhillings and ſix pence, to be recovered as herein after is mentioned.

Merchants buying hides.

VIII. *ſect.* 8. Every merchant who ſhall buy hides at the ſaid publick crane, ſhall remove the ſame from ſuch crane in forty eight hours after the ſame ſhall be ſold to him, if the weather will permit the ſame, under the penalty of paying a penny for each hide by the day, for every day he ſhall ſuffer them to remain in the ſaid crane, after the expiration of forty eight hours as aforeſaid.

IX. *ſect.*

IX. *ſect.* 9. No craner or other perſon employed by him, ſhall buy or ſell any tanned or curried leather which ſhall be brought for ſale to the ſaid crane, under the penalty of forty ſhillings for every time they ſhall ſo buy or ſell. Craners not to buy hides, &c.

(2) And ſuch craner ſhall keep a publick book in ſuch crane, wherein ſhall be entered in fair and legible characters, all tanned and curried leather brought to ſuch crane, with the names of ſuch perſons to whom they belong, and the names of the perſons who ſhould buy the ſame, under a penalty of five ſhillings for every neglect or omiſſion in this particular, to be recovered as herein after is mentioned. Books to be kept.

X. *ſect.* 10. *For preventing of frauds in the manufacturing of curried leather*, every currier or perſon employed in currying calves ſkins or kips, ſhall curry the ſame with good oyl and dubbin, or tallow mixed with dubbin, and not with bark, greaſe, kitchen-ſtuff, or tarr, and that every perſon who ſhall curry any calve ſkin or kip otherwiſe, ſhall forfeit for every calve ſkin or kip which ſhall not be ſo curried ſix pence, to be recovered as hereafter is mentioned. Currier's ſtuff.

XI. *ſect.* 11. All merchants ſkins ſhall be taken down even in the heads and necks, and the fleſh ſhall be taken clean off the bodies and ſhanks of ſuch ſkins, except only ſuch leather as ſhall be dreſſed for coach-makers, harneſs-makers, or ſadlers, and all rounded ſkins ſhall be cut off at the eye-holes, and the ſhanks cut off at the knees, and every perſon who ſhall not manufacture and trim ſuch ſkins in the manner herein directed, (except as herein before excepted) ſhall forfeit for every calf ſkin or kip which ſhall not be ſo manufactured, and for every rounded ſkin which ſhall not be ſo trimmed ſix pence; to be recovered as herein after is mentioned. Merchant's ſkins. Rounded ſkins.

XII. *ſect.* 12. No calve ſkins or kip ſhall be expoſed to ſale in the city of Dublin, or the liberties thereunto adjoining, unleſs the ſame ſhall be dried merchantable, and plainly marked with the chriſtian and ſir-names, and places of abode of the manufacturer thereof; and every perſon who ſhall expoſe to ſale in the city of Dublin, or liberties thereunto adjoining, any calve ſkin or kips not dried and marked as aforeſaid, ſhall forfeit for every ſuch ſkin or kip three pence, to be recovered as herein after is mentioned; and in caſe any difference ſhall ariſe between the buyer and ſeller concerning the drying or manufacturing any ſuch ſkins or kips at the time of the delivery thereof, ſuch difference ſhall be determined in the ſame manner as is herein before directed with reſpect to tanned hides. Dried ſkins, to be marked, &c. Differences between buyers and ſellers.

XIII. *ſect.* 13. The ſaid ſeveral penalties ſhall be recovered upon conviction by the confeſſion of the party, or by the oath of one credible witneſs, before one juſtice of the peace of the place where the offence ſhall be committed, and ſhall be levied by way of diſtreſs upon the goods of the offender, by warrant under the hand and ſeal of the juſtice before whom ſuch conviction ſhall be, returning the overplus; the ſaid forfeitures to go to the informers. Penalties recoverable, &c.

Liberties and rights.

I. *Eng. Stat.* Magna charta, 9 *Hen.* 3. *cap.* 29. No freeman ſhall be taken or impriſoned, or diſſeiſed of his freehold, or of his liberties or free cuſtoms, or be outlawed, baniſhed, or otherwiſe deſtroyed; nor ſhall the King paſs or ſend upon him, but by lawful judgment of his peers, or by the law of the land. The King ſhall ſell to none, or deny or delay to none, right or juſtice. *See afterwards* 25 *Edw.* 3. *ſtat.* 5. *cap.* 4. *and* 42 *Edw.* 3. *cap.* 3. Impriſonment or diſſeiſin.

II. *Eng. Stat.* Marlb. 52 *Hen.* 3. *cap.* 22. None may diſtrain his freeholders to anſwer of their freeholds, or of any thing thereunto appertaining, nor make them ſwear againſt their will, without the King's command. Diſtraining.

III. *Eng.*

Liberties and rights.

Judgments againſt the charter.

III. *Eng. Stat.* confirm. chart. 25 *Edw.* 1. *cap.* 2. If any judgment be given contrary to the great charters, it ſhall be undone and holden for nought.

IV. *Eng. Stat.* 1 *Edw.* 3. *ſtat.* 2. *cap.* 9. Cities, boroughs, and franchiſed towns, ſhall enjoy their franchiſes, cuſtoms, and uſages.

Enjoyment of franchiſes.

V. *Eng. Stat.* 2 *Edw.* 3. *cap.* 8. It ſhall not be commanded by the great ſeal or the little ſeal, to diſturb or delay common right; and though ſuch commandments

Attachments &c.

come, the juſtices ſhall not ceaſe to do right.

VI. *Eng. Stat.* 5 *Edw.* 3. *cap.* 9. No man ſhall be attached by any accuſation, nor forejudged of life or limb, nor ſhall his lands or goods be ſeized into the King's

Lawful indictment.

hand, againſt the great charter and the law of the land.

VII. *Eng. Stat.* 25 *Edw.* 3. *ſtat.* 5. *cap.* 4. None ſhall be taken by petition or ſuggeſtion made to the King or his council, unleſs it be by indictment of lawful people of the neighbourhood, or by proceſs made by writ original at the common law.

Judgment by law

(2) And none ſhall be put out of franchiſes or freehold, unleſs he be duly brought to anſwer, and forejudged by courſe of law; and if any thing be done to the contrary, it ſhall be redreſſed and holden for none.

Anſwer by due proceſs.

VIII. *Eng. Stat.* 28 *Edw.* 3. *cap.* 3. No man ſhall be put out of land, nor taken, nor impriſoned, nor diſherited, nor put to death, without being brought in anſwer by due proceſs of law.

Ancient law of the land.

IX. *Eng. Stat.* 42 *Edw.* 3. *cap.* 3. No man ſhall be put to anſwer without preſentment before juſtices, or matter of record of due proceſs or writ original, according to the ancient law of the land. And if any thing be done to the contrary, it ſhall be void in law, and held for error.

Falſe accuſations.

X. 28 *Hen.* 6. *cap.* 2. *ſeſſ.* 1. Such as make ſuggeſtion or accuſation againſt any to the governors or other officers of this land, ſhall find ſureties to anſwer damages to the party accuſed, in caſe the ſame be adjudged falſe; and the party accuſed to be at liberty upon bail (if allowable by law) till the matter be determined.

Courts for tryal.

(2) If the matter be touching treaſon, felony, or treſpaſs, to be remitted to the King's-bench; matter of conſcience to the chancery; and matter within a franchiſe to the ſeneſchal of the liberty; and for debt to the common-pleas.

Falſe impriſonment.

(3) The party grieved may ſue the accuſer for falſe impriſonment, if the ſuggeſtion or accuſation be not true, ſaving the King's prerogative.

No gift or loan.

XI. Petition of right. 3 *Car.* 1. *ſect.* 10. No man ſhall be compelled to yield any gift, loan, benevolence, tax, or ſuch like charge, without common conſent by act of parliament; and none ſhall be called to make anſwer, or take oath, or to give attendance, or be confined, or otherwiſe diſquieted concerning the ſame, or for refuſal thereof.

No impriſonment, &c.

(2) And no freeman ſhall be impriſoned or detained, without cauſe ſhewn, to which he may make anſwer according to law; and the people ſhall not be burthened to ſuffer ſoldiers and mariners to ſojourn in their houſes againſt their wills; and no commiſſions ſhall iſſue to proceed within the land according to martial law.

Late proceedings.

XII. *ſect.* 11. The late proceedings in the premiſſes ſhall not be drawn into conſequence; and all the King's officers ſhall ſerve him according to the laws of the realm, as they tender the honour of his Majeſty, and the proſperity of the kingdom.

Declaration of rights.

XIII. *Eng. Stat.* 1 *Will. & Mar. ſtat.* 2. *cap.* 2. *ſect.* 1. Whereas the lords ſpiritual and temporal and commons aſſembled at Weſtminſter, repreſenting all the

the eſtates of the people of this realm, did upon the 13th of February, 1688, preſent unto their Majeſties, then Prince and Princeſs of Orange, a declaration, containing, that

The ſaid lords ſpiritual and temporal, and commons, being aſſembled in a full and free repreſentative of this nation; for the vindicating their ancient rights and liberties, declare,

That the pretended power of ſuſpending of laws, or the execution of laws, by regal authority, without conſent of parliament, is illegal. Suſpending laws

That the pretended power of diſpenſing with laws, or the execution of laws, by regal authority, as it hath been aſſumed and exerciſed of late, is illegal. Diſpenſing power.

That the commiſſion for erecting the late court of commiſſioners for eccleſiaſtical cauſes, and all other commiſſions and courts of like nature, are illegal and pernicious. High-commiſſion.

That levying money for or to the uſe of the crown, by pretence of prerogative, without grant of parliament, for longer time or in other manner than the ſame is or ſhall be granted, is illegal. Levying money

That it is the right of the ſubjects to petition the King, and all commitments and proſecutions for ſuch petitioning are illegal. Petitioning the King.

That the raiſing or keeping a ſtanding army within the kingdom in time of peace, unleſs it be with conſent of parliament, is againſt law. Standing army.

That the ſubjects which are proteſtants may have arms for their defence ſuitable to their conditions and as allowed by law. Keeping arms.

That election of members of parliament ought to be free. Free elections.

That the freedom of ſpeech, and debates or proceedings in parliament, ought not to be impeached or queſtioned in any court or place out of parliament. Proceedings in parliament.

That exceſſive bail ought not to be required, nor exceſſive fines impoſed, nor cruel and unuſual puniſhments inflicted. Exceſſive bail.

That jurors ought to be duly impannelled and returned, and jurors which paſs upon men in trials for high treaſon ought to be freeholders. Jurors to be freeholders.

That all grants and promiſes of fines and forfeitures of particular perſons before conviction, are illegal and void. Grants of forfeitures.

And that for redreſs of all grievances and for the amending, ſtrengthening and preſerving of the laws, parliaments ought to be held frequently. Frequent parliaments.

And they do claim, demand, and inſiſt upon, all and ſingular the premiſſes as their undoubted rights and liberties, and that no declarations, judgments, doings or proceedings, to the prejudice of the people in any of the ſaid premiſſes, ought in any wiſe to be drawn hereafter into conſequence or example. Right of the people.

XIV. *ſect.* 6. All and ſingular the rights and liberties aſſerted and claimed in the ſaid declaration are the true, ancient and undubitable rights and liberties of the people of this kingdom, and ſo ſhall be eſteemed, allowed, adjudged, and taken to be; and all the particulars aforeſaid ſhall be firmly holden as they are expreſſed in the ſaid declaration; and all officers ſhall ſerve their Majeſties according to the ſame in all times to come. To be firmly holden.

XV. *ſect.* 12. No diſpenſation by *non obſtante* of any ſtatute ſhall be allowed, except a diſpenſation be allowed of in ſuch ſtatute, and except in ſuch caſes as ſhall be ſpecially provided for during this ſeſſion of parliament. Non obſtante.

XVI. *ſect.* 13. No charter granted before the twenty third of October, 1689, ſhall be invalidated by this act, but ſhall remain of the ſame force as if this act had never been made. Former charters.

Liberties and rights.

Proviſion for ſecurity.

XVII. *Eng. Stat.* 12 & 13 *Will.* 3. *cap.* 2. *ſect.* 3. Whereas it is neceſſary that further proviſion be made for ſecuring our religion, laws, and liberties after the death of his Majeſty and princeſs Anne of Denmark, and in default of iſſue of the body ſaid princeſs, and of his Majeſty reſpectively; it is enacted,

Eſtabliſhed church.

That whoſoever ſhall hereafter come to the poſſeſſion of this crown, ſhall join in communion with the church of England, as by law eſtabliſhed.

Foreign dominions.

That in caſe the crown and imperial dignity of this realm ſhall hereafter come to any perſon, not being a native of this kingdom of England, this nation be not obliged to engage in any war for the defence of any dominions or territories which do not belong to the crown of England, without conſent of parliament.

Aliens incapacitated.

That from the time that the further limitation by this act (See Tit. **King**, &c.) *ſhall take effect, no perſon born out of the kingdoms of England, Scotland, or Ireland, or the dominions thereunto belonging, although he be naturalized or made a denizen, except ſuch as are born of Engliſh parents, ſhall be capable to be of the privy council, or a member of either houſe of Parliament, or to enjoy any office or place of truſt either civil or military, or to have any grant of lands, tenements, or hereditaments from the crown to himſelf, or to any other in truſt for him.*

Placemen in parliament.

That no perſon who has an office or place of profit under the King, or receives a penſion from the crown, ſhall be capable of ſerving as a member of the houſe of commons.

Judges commiſſions.

That after the ſaid limitation ſhall take effect, judges commiſſions be made quamdiu ſe bene geſſerint, *and their ſalaries aſcertained and eſtabliſhed; but upon the addreſs of both houſes of parliament it may be lawful to remove them.*

Impeachments.

That no pardon under the great ſeal of England be pleadable to an impeachment by the commons in Parliament.

Statutes ratifyed.

XVIII. *ſect.* 4. Whereas the laws of England are the birth-right of the people thereof, and all the Kings and Queens, who ſhall aſcend the throne of this realm, ought to adminiſter the government of the ſame according to the ſaid laws, and all their officers and miniſters ought to ſerve them according to the ſame; all the laws and ſtatutes of this realm for ſecuring the eſtabliſhed religion, and the rights and liberties of the people, and all other laws and ſtatutes now in force, are by his Majeſty with the advice and conſent of the lords ſpiritual, and temporal, and commons, ratified and confirmed. *See Tit.* **King**, &c.

Life eſtates.

Perſons abſent ſeven years.

I. *Stat.* 7 *Will.* 3. *cap.* 8. *ſect.* 1. If perſons for whoſe lives eſtates ſhall be granted, ſhall remain beyond the ſeas, or abſent themſelves ſeven years together, and no ſufficient proof be made of the lives of ſuch perſons in any action commenced for the recovery of tenements *held by leaſe for ſuch perſons lives*, by the leſſors or reverſioners, the judges before whom ſuch action ſhall be brought, ſhall direct the jury to give their verdict as if the perſon ſo remaining beyond the ſeas or abſenting himſelf were dead.

Exception to jurors.

II. *ſect.* 2. In any ſuch action wherein the life or death of any ſuch perſons ſhall come in queſtion between the leſſor or reverſioner and tenant in poſſeſſion; it ſhall be lawful for the leſſor or reverſioner to take exception to any of the jurors returned for the trial of that cauſe, that the greateſt part of the real eſtate of any ſuch juror is held by leaſe for lives, who upon proof thereof ſhall be ſet aſide, as in caſe of other legal challenges.

III. *ſect.*

III. *ſect.* 3. If any perſons ſhall be evicted out of any lands by virtue of this act, and afterwards if ſuch perſons upon whoſe lives ſuch eſtates depend, ſhall return again, or ſhall on proof in any action to be brought for recovery of the ſame, be made appear to be living or to have been living at the time of the eviction, the leſſee who was ouſted of the ſame, his executors, adminiſtrators, or aſſigns, may re-enter and enjoy the ſaid lands, as in their former eſtate, ſo long as the ſaid perſons upon whoſe lives the ſaid eſtates depend ſhall be living. Remedy after eviction.

(2) And ſhall alſo upon actions to be brought by them againſt the leſſors or tenants in poſſeſſion, or other perſons, which ſince the time of the ſaid eviction received the profits of the ſaid lands, recover for damages the full profits of the ſaid lands, with intereſt from the time that they were ouſted of the ſaid lands, and kept out of the ſame by the ſaid leſſors or other perſons who, after the ſaid eviction, received the profits of the ſaid lands or any of them, as well in the caſe where the ſaid perſons, upon whoſe lives ſuch eſtates did depend, ſhall be dead at the time of bringing the ſaid actions, as if the ſaid perſons were then living. *Eng. Stat.* 19 *Car.* 2. *cap.* 6 Recovery of profits.

IV. *Stat.* 7 *Will.* 3. *cap.* 12. *ſect.* 12. Any eſtate, *pur auter vie*, ſhall be deviſeable by a will in writing, ſigned by the party deviſing the ſame, or by ſome other perſon in his preſence, and by his expreſs direction, atteſted and ſubſcribed in the preſence of the deviſor by three or more witneſſes. Eſtates pur auter vie.

(2) And if no ſuch deviſe thereof be made, the ſame ſhall be chargeable in the hands of the heir, if it ſhall come to him by reaſon of a ſpecial occupancy, as aſſets by deſcent, as in caſe of lands in fee-ſimple. Aſſets by deſcent

(3) And in caſe there be no ſpecial occupant thereof, it ſhall go to the executors or adminiſtrators of the party that had the eſtate thereof by virtue of the grant and ſhall be aſſets in their hands. *Eng. Stat.* 29 *Car.* 2. *cap.* 3. *ſect.* 12. Special occupant

V. *Stat.* 11 *Ann. cap.* 3. *ſect.* 1. If it ſhall happen that any perſon who in purſuance of agreements for renewal in leaſes *for one or more lives* contained ought to make ſuch new leaſes as ſhall be agreed to be made, ſhall be under any diſability ſo to do, by reaſon of *infancy*, *coverture*, or *non compos mentis*, in caſe of diſability by reaſon of infancy, by the direction of the chancery or the court of exchequer, ſignified by an order made upon hearing all parties concerned on the petition of ſuch leſſees, it ſhall be lawful for the guardians of ſuch infant, upon ſuch leſſees tendering the fines agreed on in ſuch leaſe, and performing all covenants and agreements to be performed on their part previous to ſuch renewal in ſuch manner as ſhall by ſuch order be directed, to renew ſuch leaſe or leaſes by adding ſuch new lives as ſhall be named by the leſſees according to the agreements. Incapacity to renew.

(2) And ſuch guardians are required to renew ſuch leaſes by putting in ſuch new lives as ſhall be ſo named unto them, while the minor of ſuch guardians ſhall be under ſuch diſability of infancy. Guardians to renew.

VI. *ſect.* 2. In all caſes where the perſons who by covenant or agreement are obliged to make ſuch renewals ſhall be diſabled to renew by reaſon of being under coverture beyond the ſeas or *non compos mentis*, it ſhall be lawful for the lord chancellor or commiſſioners of the great ſeal upon petition in the chancery, upon payment of the fine and ſuch other ſums as ought to be paid upon ſuch renewal for the uſe of the perſons intitled to the ſame, and upon the leſſees performing all the covenants or agreements in the ſaid leaſes to be performed by them previous to ſuch renewal, to order ſuch renewals to be made by one of the maſters of the chancery to be appointed by the ſaid lord chancellor or commiſſioners of the great ſeal, and ſuch maſter ſo appointed and alſo ſuch guardian ſhall execute ſuch deed of renewal in the name of the perſons who ought to have renewed the ſame. Order in chancery.

Deeds valid.

(3) Which deeds of renewal, counterparts thereof being duly perfected by the leſſees for the uſe of the perſons having the reverſion and inheritance of ſuch lands compriſed in ſuch deeds, ſhall be as good as if the perſons under age had been of full age and had executed the ſame, or as if the other perſons, under ſuch diſability, had not been ſo diſabled, and had executed the ſame.

Perſons compellable.

VII. *ſect.* 3. Provided ſuch perſons under age or under ſuch diſability were at the time of the renewal of ſuch leaſe compellable in law or equity to make ſuch renewal.

Lignum-vitae.

No duty on Lignum-vitæ.

I. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 21. No duty whatſoever ſhall be paid to his Majeſty upon the importation of the wood or timber, commonly called and known by the name of Lignum-vitæ.

Limerick.

Rebuilding Baal's Bridge.

I. *Stat.* 31 *Geo.* 2. *cap.* 20. *ſect.* 1. The biſhop of Limerick, for the time being, Charles Smith and Richard Maunſel, eſqrs. the honourable Thomas Southwell, eſq. Edmond Sexton Perry, eſq. James Smith, eſq. the mayor, recorder and juſtices of the peace of the city of Limerick, for the time being, with the incumbents of the three ſeveral pariſhes of the ſaid city, for the time being, Edward Taylor, eſq. William Maunſell, eſq. and the revd. Henry Smyth, ſhall be commiſſioners for rebuilding Baal's-Bridge in the ſaid city.

Nomination of new commiſſioners.

II. *ſect.* 20. For ſupplying and continuing a ſufficient number of fit and able perſons to be commiſſioners, for putting in execution the powers and truſts contained in this act; when any of the ſaid commiſſioners ſhall die, or refuſe to act, the remaining commiſſioners, or any five of them, ſhall, by inſtrument in writing under their hands and ſeals, from time to time, nominate in the room of ſuch commiſſioners dying or refuſing to act, ſo many more fit perſons in the room of ſuch perſons as ſhall refuſe to act or happen to die, and every new commiſſioner ſo to be nominated and appointed, ſhall have power to act in all things relating to the premiſſes, in as ample manner, as any of the commiſſioners hereby appointed.

The powers and authorities given by this act, to the commiſſioners thereby appointed for widening, repairing and rebuilding Baal's-Bridge in the city of Limerick, &c. are nearly the ſame with thoſe given to the commiſſioners appointed, by an act paſſed this ſeſſion, for making a wide and convenient paſſage or ſtreet, from Eſſex-Bridge to the caſtle of Dublin. *See Tit.* **Dublin** *ſtreets.*

Power to commiſſioners.

III. *Stat.* 33 *Geo.* 2. *cap.* 15. *ſect.* 10. The commiſſioners named in an act made in this kingdom in the thirty firſt year of his preſent Majeſty's reign, intitled, *An act for the widening and repairing, or rebuilding a bridge called Baal's-Bridge, in the city and garriſon of Limerick*, or any five or more of them, ſhall have all ſuch powers and authorities for the better execution of the truſts repoſed in them, by the act of this preſent ſeſſion, (*cap.* 15.) as they were intitled to have by the ſaid act of the thirty firſt year of his preſent Majeſty's reign, in reſpect to the widening and repairing, or rebuilding Baal's-Bridge aforeſaid.

Money veſted in commiſſioners.

(2) And if at any time hereafter any money ſhall be granted by parliament or otherwiſe, to the ſaid laſt mentioned commiſſioners, or their ſucceſſors, for the making, widening, or rendering convenient, any ſtreet, lane, quay, or paſſage in the ſaid city of Limerick, or the ſuburbs thereof, or any liberty thereto adjoining, the ſaid laſt mentioned commiſſioners, and their ſucceſſors, or any five or more of them, ſhall have all ſuch powers and authorities, for and in reſpect of the making,

widening,

widening, or rendering convenient any ſuch ſtreet, lane, quay, or paſſage, for which any money ſhall be granted to them as aforeſaid, as they were intitled to have by the ſaid laſt recited act, in reſpect to the widening, and repairing, or rebuilding of Baal's-Bridge aforeſaid, and alſo as if ſuch ſtreet, lane, quay, or paſſage, for the making, widening, or rendering convenient, whereof ſuch money ſhall be granted, had been particularly ſet forth in this and the ſaid laſt recited act.

IV. *Stat.* 1 *Geo.* 3. *cap.* 17. *ſect.* 22. The weigh-maſter of the city of Limerick ſhall, before the firſt day of May 1763, provide two convenient weigh-houſes for the ſaid city, one to be in the Engliſh-town, the other in the Iriſh-town of the ſaid city, in ſome convenient places, to be approved of by the majority of the wholeſale merchants of the ſaid city. Weigh-houſes.

Limitations.

I. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 39. In conveying a deſcent in a writ of right, none ſhall declare of the ſeiſin of his anceſtor beyond the time of King Richard. Time of preſcription.

II. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 6. *ſect.* 1. No perſon ſhall have any writ of right or make any preſcription, title, or claim to lands or other hereditaments of the poſſeſſion of their anceſtor or predeceſſor, and declare any further ſeiſin or poſſeſſion of their anceſtor or predeceſſor, but only within threeſcore years next before the *teſte* of the writ, or before the preſcription, title, or claim ſo had. Limitation of ſixty years.

III. *ſect.* 2. No perſon ſhall have any aſſiſe of *mortdanceſtor*, writ of *coſinage*, *ayel*, or of entry upon diſſeiſin done to any of his anceſtors or predeceſſors, or any other action poſſeſſory upon the poſſeſſion of any of his anceſtors or predeceſſors, of any lands or hereditaments, of any further ſeiſin or poſſeſſion but only within fifty years next before the *teſte* of the writ. Poſſeſſory actions.

IV *ſect.* 3. No perſon ſhall have any action for lands, or upon their own ſeiſin or poſſeſſion therein, above twenty years next before the *teſte* of the writ. Action for lands.

V. *ſect.* 4. No perſon ſhall make any avowry or recognizance for any rent, ſuit, or ſervice, and alledge any ſeiſin of their anceſtors or predeceſſors, or in their own poſſeſſion, or in the poſſeſſion of any other, whoſe eſtate they claim to have above forty years next before the making of the avowry or recognizance. Avowry for rent.

VI. *ſect.* 5. All writs of *formedon* in the *deſcender*, *formedon* in the *remainder*, *formedon* in the *reverter*, and *ſcire facias*, upon fines and recoveries of any lands, &c. ſhall be ſued within twenty years next after the title and cauſe of action firſt accrued. Writs of formedon.

VII. *ſect.* 6. If any perſons ſue any of the ſaid writs or actions for lands, &c. or make avowry, cognizance, preſcription, title, or claim, for any rent, ſuit, ſervice, or other hereditaments, and cannot prove that they or their anceſtors or predeceſſors were in actual ſeiſin within the years reſpectively before limited, if the ſame be traverſed or denied by the party plaintiff, demandant, or avowant, or by the party, tenant, or defendant, after ſuch trial therein had, all ſuch perſons and their heirs ſhall be barred of all the ſaid writs, actions, avowries, cognizance, preſcription, title, and claim for the ſame lands &c. Proof of ſeiſin.

VIII. *ſect.* 11. If any verdict be given in any of the ſaid actions, ſuits, avowries, preſcriptions, titles or claims, the party grieved, by reaſon of the ſame, ſhall have his attaint upon every ſuch verdict, and the plaintiff in the attaint upon judgment for him given ſhall have his recovery, execution, and other advantage as heretofore hath been uſed. *Eng. Stat.* 32 *Hen.* 8. *cap.* 2. Attaint after verdict.

IX. *ſect.* 12. No perſon ſhall make any entry into any lands but within twenty years next after their right or title ſhall deſcend or accrue to the ſame, and in default Entry in twenty years.

fault thereof, ſuch perſons and their heirs ſhall be excluded from ſuch entry after to be made.

Perſons under diſability.

X. *ſect.* 13. If any perſons that ſhall have ſuch right of entry, ſhall be at the time of the ſaid right firſt accrued, within the age of one and twenty years, *feme covert*, *non compos mentis*, impriſoned, or beyond the ſeas, ſuch perſons and their heirs ſhall notwithſtanding the ſaid twenty years be expired, make entry as before this act, ſo as ſuch perſons or their heirs, ſhall, within ten years next after their full age, *diſcoverture*, coming of ſound mind, enlargement out of priſon, or coming into this realm, or death, take benefit of the ſame.

Limitation of perſonal actions.

XI. *ſect.* 14. All actions of treſpaſs *quare clauſum fregit*, all actions of treſpaſs, *detinue*, action *ſur trover*, and replevin for taking away of goods and cattle, all actions of account and upon the caſe, other then ſuch accounts as concern the trade of merchandiſe between merchant and merchant, their factors or ſervants, all actions of debt, grounded upon any lending or contract without ſpecialty, all actions of debt for arrearage of rent, and all actions of aſſault, menace, battery, wounding, and impriſonment, ſhall be ſued within the time hereafter expreſſed, that is to ſay, the ſaid actions upon the caſe other than for ſlander, and the ſaid actions for account, and the ſaid actions for treſpaſs, debt, detinue, and replevin, and the ſaid actions for treſpaſs *quare clauſum fregit*, within ſix years next after the cauſe of ſuch actions; and the ſaid actions of treſpaſs, of aſſault, battery, wounding, impriſonment, within four years after the cauſe of ſuch actions, and the ſaid actions upon the caſe for words, within two years next after the words ſpoken, and not after.

Time for new actions.

XII. *ſect.* 15. If *in* any of the ſaid actions judgment be given for the plaintiff, and the ſame be reverſed by error, or a verdict paſs for the plantiff, and upon matter alledged in arreſt of judgment, the judgment be given againſt the plantiff that he take nothing by his plaint, writ, or bill, or if any the ſaid actions ſhall be brought by original, and the defendant therein be out-lawed, and ſhall after reverſe the outlawry, the party plaintiff, his heirs, executors, or adminiſtrators, may commence a new action within a year next after ſuch judgment reverſed, or ſuch judgment given againſt the plaintiff or out lawry reverſed, and not after.

Actions of treſpaſs.

XIII. *ſect.* 16. In all actions of treſpaſs *quare clauſum fregit*, wherein the defendants ſhall diſclaim in their plea any title to the lands in which the treſpaſs is by the declaration ſuppoſed to be done, and the treſpaſs be by negligence or involuntary, the defendants ſhall be admitted to plead a *diſclaimer*, and that the treſpaſs was by negligence or involuntary, and a tender or offer of ſufficient amends for ſuch treſpaſs before the action brought, whereupon the plantiffs ſhall be inforced to join iſſue, and if the ſaid iſſue be found for the defendants, or the plaintiffs ſhall be non-ſuited, the plaintiffs ſhall be barred from the ſaid actions, and all other ſuits concerning the ſame.

Time after diſability removed.

XIV. *ſect.* 17. If any perſons intitled to any ſuch action of treſpaſs, detinue, action *ſur trover*, replevin, actions of account, actions of debt, actions of treſpaſs, for aſſault, menace, battery, wounding or impriſonment, actions upon the caſe for words, ſhall be at the time of any ſuch cauſe of action given or accrued, within the age of twenty one years, *feme covert*, *non compos mentis*, impriſoned or beyond the ſeas, ſuch perſons ſhall be at liberty to bring the ſame actions, ſo as they take the ſame within ſuch times as are before limited after their being of full age, *diſcovert*, of *ſane memory*, at large, and returned from beyond the ſeas. *Eng. Stat.* 21 *Jac.* 1. *cap.* 16.

Exceptions.

XV. *ſect.* 18. This act ſhall not extend to any writ of right of advowſon, *quare impedit*, or aſſiſe of *darrein preſentment* nor *jure patronatus*. *Eng. Stat.* 1 *Mar. Stat.* 2. *cap.* 5.

XVI. *ſect.*

XVI. *ſect.* 19. This act ſhall not extend unto any lands, tithes, penſions, portions, obventions, oblations, or any other annual, caſual, or hereditary profits, rights, or poſſeſſions, of any biſhoprick, deanery, archdeaconry, prebend, parſonage, vicarage, or any other eccleſiaſtical or ſpiritual living, or as appertaining thereunto, claimed by any eccleſiaſtical or ſpiritual perſons, but that they may have all ſuch writs, actions, and ſuits for any of the rights or poſſeſſions of their churches, and make ſuch entries thereunto as they might have done before the making of this act. Eccleſiaſtical perſons.

XVII. *Eng. Stat.* 4 *Ann. cap.* 16. *ſect.* 17. All ſuits in the admiralty for ſeamens wages ſhall be commenced within ſix years after the cauſe of ſuch ſuits ſhall accrue. Suits in the admiralty.

XVIII. *ſect.* 18. If any perſon intitled to ſuch ſuit for ſeamens wages be within the age of 21 years, *feme covert*, *non compos mentis*, impriſoned or beyond the ſeas, ſuch perſon ſhall be at liberty to bring the ſame actions, ſo as they take the ſame within ſix years after their being of full age, *diſcovert*, of *ſane memory*, at large, and returned from beyond the ſeas. Diſabilities removed.

XIX. *ſect.* 19. If any perſon againſt whom there ſhall be any ſuch cauſe of action for ſeamens wages, be at the time of any ſuch cauſe of action accrued beyond the ſeas, ſuch perſon who is intitled to ſuch action, ſhall be at liberty to bring the ſaid actions againſt ſuch perſons after their return from beyond the ſeas, ſo as they take the ſame after their return from beyond the ſeas, in ſuch times as are limited for bringing of the ſaid actions by this act, &c. Perſons beyond ſeas.

This ſtatute extends to the court of admiralty of Ireland, which is ſubordinate to the court of admiralty of Great-Britain, and is to be governed by the ſame laws.

XX. *Stat.* 6 *Ann. cap.* 10. *ſect.* 17. If any perſon againſt whom there ſhall be any cauſe of action, of treſpaſs, detinue, of *trover* or replevin, or of action of account, or upon the caſe, or of debt grounded upon any lending or contract without ſpecialty of debt for arrearages of rent, or aſſault, menace, bartery, wounding, and impriſonment, or any of them, ſhall be at the time of any ſuch cauſe of action accrued beyond the ſeas, ſuch perſons who ſhall be entitled to any ſuch action, ſhall be at liberty to bring the ſaid actions againſt ſuch perſons after their return from beyond the ſeas, ſo as they take the ſame after their return from beyond the ſeas within ſuch times as are reſpectively limited for the bringing of the ſaid actions by *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 6. *Eng. Stat.* 4 *Ann. cap.* 16. *ſect.* 19. Time for bringing actions after return.

XXI. *Stat.* 4 *Geo.* 1. *cap.* 10. *ſect.* 1. No fine or common recovery ſhall be reverſed or avoided for any error or defect therein, unleſs ſuch writ of error, or ſuit for reverſing ſuch fine or recovery be brought and proſecuted with effect within ten years after ſuch fine levied, or recovery ſuffered. Fines and common recoveries.

XXII *ſect.* 2. If any perſon who ſhall be entitled to any ſuch writ of error, ſhall at the time of ſuch title accrued, be within the age of twenty one years, or *covert*, *non compos mentis*, impriſoned, or beyond the ſeas, ſuch perſon, his or her heirs, executors, or adminiſtrators, may bring their writ of error for the reverſing any ſuch fine or recovery as they might have done in caſe this act had not been made, ſo as the ſame be done within five years after his or her full age, *diſcoverture*, coming of ſound mind, enlargement out of priſon, or returning from beyond the ſeas or death. *Eng. Stat.* 10 *Will.* 3. *cap.* 14. Five years after diſability removed.

XXIII. *Stat.* 8 *Geo.* 1. *cap.* 4. *ſect.* 2. If any perſon ſhall proſecute any ſuit in law or equity, for recovery of any debt due by ſingle bill or bond under hand and ſeal, or by judgment, ſtatute ſtaple, ſtatute merchant or recognizance, which ſhall have Plea in bar after twenty years.

have been due by the ſpace of twenty years before ſuch ſuit brought, where no action or ſuit hath been proſecuted for recovery thereof, nor any intereſt or money hath been paid, or other ſatisfaction made on account thereof, within the ſpace of twenty years before the commencement of ſuch action or ſuit, the defendants may plead payment in bar, unleſs the plaintiffs, or thoſe under whom they claim, have proſecuted ſome action or ſuit for the recovery of ſuch debt or duty, or ſhall prove that ſome intereſt or money hath been paid, or other ſatisfaction made on account thereof, within the ſpace of twenty years before ſuch action or ſuit commenced.

Mortagees in poſſeſſion.

XXIV. *ſect.* 3. In caſe any mortgagees of lands, &c. have been in poſſeſſion thereof by the ſpace of twenty years, and the mortgagors, or the perſons intitled to the equity of redemption of ſuch lands, have permitted the mortgagees, or their heirs, executors, adminiſtrators, or aſſigns, to continue in poſſeſſion of the mortgaged premiſſes, without bringing their bill to redeem the ſame, or to bring the mortgagees, &c. to account for the profits of the lands mortgaged, and ſhall not before the twenty ninth day of September, 1723, commence their ſuit in equity to redeem ſuch mortgage, or for the recovery of the poſſeſſion of the mortgaged premiſſes, and proſecute the ſame with effect, it ſhall be lawful for the perſons claiming the eſtate in any ſuch mortgages, to plead ſuch poſſeſſion in bar of any relief, and ſuch mortgagees ſhall hold the lands mortgaged to them diſcharged of all equity of redemption.

Bar in law and equity.

XXV. *ſect.* 4. All perſons, bodies politic or corporate, not already barred, who ſhall claim any eſtate in any lands, &c. of which ſuch perſons, bodies politic or corporate, or thoſe under whom they claim, have not been in poſſeſſion within twenty years before the twelfth day of September 1721, or ſhall claim any incumbrance thereon either in law or equity, ſhall proſecute ſome action, or ſuit for the recovery of ſuch lands within five years, to be computed from the twelfth day of September aforeſaid, or elſe ſhall be for ever abſolutely barred in law or equity.

Suit in five years.

XXVI. *ſect.* 5. Nothing herein contained ſhall be conſtrued to bar the title or claim of any perſons, bodies politic or corporate, who ſhall commence and proſecute their action or ſuit within five years next after their title to any lands, &c. or any incumbrance thereon ſhall accrue.

Saving to perſons under diſability.

XXVII. *ſect.* 6. Nothing herein contained ſhall be conſtrued to bar the right or remedy of any perſons who ſhall be a *feme covert*, or within the age of twenty one years, *non compos mentis*, or in priſon, or out of the kingdom, or their legal repreſentatives, provided they ſhall proſecute their reſpective actions or ſuits within five years after ſuch diſability ſhall be removed.

Saving to the King.

XXVIII. *ſect.* 7. Saving to the King all right, title, and claim to any lands, tenements, rents, hereditaments, mortgages, recognizances, debts, duties, and demands whatſoever, as if this act had never been made.

See further under title Actions popular.

Linen manufacture.

Free from cuſtoms.

I. *Eng Stat.* 1 *Ann. Stat.* 2. *cap.* 8. *ſect.* 2. All ſorts of hemp or flax, and the production thereof, as thread, yarn, and linen, imported into England directly from Ireland, by any natives of England or Ireland, being of the growth and manufacture of Ireland, upon producing ſuch certificates, and making ſuch oath, as in the act *Will.* 3. *cap.* 39. (*which ſee Tit.* **Flax** *and* **Hemp**) is required, ſhall be free from the additional ſubſidy of poundage, and all cuſtoms whatſoever.

Tranſporting linen to the plantations.

II. *Eng. Stat.* 3 *Ann. cap.* 8. *ſect.* 1. It ſhall be lawful for any natives of England or Ireland, to ſhip in any port of Ireland in Engliſh built ſhipping, whereof the maſt

maſter and three fourths of the mariners to be Engliſh or Iriſh, any white or brown linen cloth of the manufacture of Ireland, and the ſame to tranſport into any of the plantations, the act 15 *Car.* 2. *cap.* 7. notwithſtanding.

III. *ſect.* 2. Provided that no ſhip coming to the plantations from Ireland ſhall break bulk, until the maſter ſhall have made known to the governor, or to ſuch officer as ſhall be by him appointed, the arrival of the ſaid ſhip, with her name, and the name of the maſter, and ſhall have delivered a true inventory of the landing, together with a certificate from the chief officer of the port in Ireland where ſuch ſhip ſhall be laden, expreſſing the particulars of ſuch lading, with the names and abodes of the exporters, and of two perſons who ſhall have made oath before ſuch chief officer, that the ſaid goods and linen are *bona fide* of the manufacture of Ireland. Invoice of lading.

(2) And until the maſter ſhall have made oath before ſuch governor or officer, that the ſaid goods are the ſame that he took on board by virtue of ſuch certificate, nor until ſuch ſhip ſhall have been ſearched by an officer, and in caſe the commander of ſuch ſhip ſhall break bulk before ſuch notice given and certificate produced, and ſuch oath made, or before ſuch ſearch. Oath of the maſter.

(3) Or if any goods of woollen manufacture not laden in England (neceſſary apparel of the commander and mariners excepted) or any linen goods not laden in England, nor of the manufacture of Ireland, ſhall be found, ſuch ſhip ſhall be forfeited, together with all goods imported or found in ſuch ſhip, one third part to her Majeſty, one third part to the governor of ſuch plantation, if the ſhip be there ſeized or ſued for, or otherwiſe that third part alſo to her Majeſty, and the other third part to him who ſhall ſue for the ſame in her Majeſty's court in the plantations where the offence ſhall be committed, or in any of her Majeſty's courts at Weſtminſter. Forfeiture of the ſhip and goods.

IV. *ſect.* 3. All ſhips coming from Ireland to any ſuch plantation ſhall be ſubject to the ſame rules to which ſhips coming from England are ſubject. Ships from Ireland.

V. *ſect.* 8. Any perſon for any ſeizure made in purſuance of this act may plead the general iſſue, and ſhall have double coſts. General iſſue.

VI. *ſect.* 9. All informations and ſuits for any offence againſt this act ſhall be commenced within twelve months after the diſcovery of ſuch offence. Suits in twelve months.

VII. *ſect.* 10. If any ſhip laden with goods in England, Wales, or Berwick, for any of the plantations, ſhall put into any port in Ireland, and ſhall there take in any white or brown Iriſh linen, the like certificate and oaths ſhall be made, that the ſaid linen is of the manufacture of Ireland as is before directed; and if upon the arrival of ſuch ſhip in the plantations, ſuch certificate be produced, and oaths made, ſuch ſhip, &c. ſhall be ſubject to ſuch rules as they were ſubject to before the paſſing of this act, and no other. Ships laden in England.

VIII. *ſect.* 11. This act ſhall continue eleven years. Continuance.

} *Continued by* 3 Geo. 1. cap. 21.

IX. *Brit. Stat.* 3 *Geo.* 1. *cap.* 21. *ſect.* 1. The act 3 & 4 *Ann. cap.* 8. to permit the exportation of Iriſh linen cloth to the plantations, &c. ſo far as the ſame relates to the exportation of Iriſh linen cloths to the Britiſh plantations, ſhall continue in force ſo long as the merchants, &c. of Great-Britain are permitted to import into Ireland, free of duties, white and brown Britiſh linen cloth made in Great-Britain. Britiſh linen.

X. *ſect* 2. All linens made in Ireland, and imported into this kingdom, may be ſhipped off again for any of his Majeſty's plantations in America, without paying any duty. No duty for linen ſhipped off.

Oath of ſtamp-maſters.

XI. *Brit. Stat.* 18 *Geo.* 2. *cap.* 24, *ſect.* 1. No ſtamp-maſter or lapper in Scotland or Ireland, ſhall mark, ſtamp, or ſeal any linens, until he ſhall have taken an oath for the faithful execution of his office, before a juſtice, which the ſaid juſtice is required to adminiſter, nor until after the owner or manufacturer of any linen ſhall, before the ſtamp-maſter next adjoining to his place of abode, take an oath, which the ſaid ſtamp-maſters are hereby authorized to adminiſter, that ſuch linens, and every part thereof, are really and truly of the manufacture of Scotland or Ireland.

Marks on ends of linens.

XII. *ſect.* 2. No bounty ſhall be paid on the exportation of Britiſh or Iriſh linens, but ſuch on both ends of every piece whereof, the name and place of abode of the maker, with the year wherein made, and a number denoting the order in which ſuch piece was ſo made in ſuch year, beginning with N° 1. and proceeding progreſſively, according to the number of pieces made by ſuch maker in each year, and alſo the name and place of abode of the exporter, or ſeller for exportation, ſhall be ſeverally marked in letters, figures, and words at full length, and unleſs at the ends of every piece, there ſhall be ſo marked or ſtamped, the month and year, and the name of the port at which ſuch linens ſhall be entered for exportation, claiming the bounty, and unleſs (excepting the inſtances herein after mentioned) the ends of every ſuch piece of linen, near which ſuch marks ſhall be made, ſhall be whole and entire as when cut out of the loom, all which marks or ſtamps ſhall be done with lamp-black and burnt oil, in a plain and durable manner.

Cloth cut for bleaching.

XIII. *ſect.* 3. Every piece of cloth intended to be cut for bleaching, ſhall be ſo cut in preſence of the ſtamp-maſter of the place next to the abode of the owner of ſuch cloth, and each piece cut off not having the makers name, and place of abode, ſhall be ſtamped with the name and place of abode of the ſaid ſtamp maſter, and with thoſe of the maker, together with the year wherein the ſame was bleached, which the ſtamp-maſter is hereby directed to ſtamp thereon, and no bounty ſhall be paid on exportation of any ſuch cut piece not having the ſaid ſtamps thereon.

Falſe ſtamps.

(2) And if any perſon ſhall ſtamp or mark any linen contrary to any directions of this act, or ſhall wilfully mark on any ſuch linens, any falſe ſtamp in imitation of the mark uſed by the maker of any Britiſh or Iriſh linens, or ſhall cut off, or cauſe to be cut off, obliterated, or deſtroyed, any mark ſtamped on linen, ſuch perſon ſhall forfeit five pounds for every piece of linen ſo ſtamped, to be recovered by bill, &c. in any court of record at Weſtminſter, &c. or at Dublin, where no eſſoign, &c. ſhall be allowed, the one moiety of the ſaid penalties ſhall be to the uſe of his Majeſty, and the other to ſuch perſons as will ſue for the ſame.

Pillory on conviction.

XIV. *ſect.* 4. If any perſon ſhall fix or cauſe to be fixed on any foreign linens, any marks required by law to be put on linens of the manufacture of Scotland or Ireland, or any marks or ſtamps hereby required, or in imitation of any of the marks or ſtamps hereby, or by any other law now in force, required to be put on Britiſh or Iriſh linens, the offender being convicted ſhall ſtand on the pillory one hour in the forenoon, and be puniſhed by fine not exceeding fifty pounds, or by impriſonment not exceeding twelve months, at the diſcretion of the court.

Marking foreign linens.

(2) And if any perſon ſhall ſell, or expoſe, or pack up for ſale, or enter for exportation, any foreign linens marked or ſtamped, as by this or any other law, linens of Britiſh or Iriſh manufacture are required to be marked or ſtamped, knowing ſuch linens to be foreign, the offender being convicted, ſhall forfeit the ſaid linen, and five pounds for each piece, to be recovered by bill, &c. in any court of record at Weſtminſter,

minſter, &c. or in Dublin, wherein no eſſoign, &c. ſhall be allowed, one moiety whereof ſhall be to his Majeſty's uſe, and the other to ſuch perſons as will ſue for the ſame; and if a queſtion be, whether ſuch linens be of Britiſh or Iriſh manufacture, or of any foreign country, the *onus probandi* ſhall lie on the claimer of ſuch linen, or the defendant in ſuch ſuit.

XV. *ſect.* 5. Nothing herein contained ſhall extend to alter the method of ſtamping linens of the manufacture of Ireland or Scotland, by any law now in force; but beſides the marks or ſtamps herein mentioned, all ſuch linens ſhall be marked as they ought to have been if this act had not been made. Method of ſtamping.

XVI. *Stat.* 19 *Geo.* 2. *cap.* 6. *ſect.* 1. The ſeveral acts of parliament herein after mentioned, for the encouragement and improvement of the hempen and flaxen manufactures, that is to ſay, an act 4 *Ann. cap.* 4. an act 6 *Ann. cap.* 9. an act 8 *Ann. cap.* 12. an act 9 *Ann. cap.* 3. an act 2 *Geo.* 1. *cap.* 13. an act 4 *Geo.* 1. *cap.* 6. an act 6 *Geo.* 1. *cap.* 7. an act 10 *Geo.* 1. *cap.* 2. an act 1 *Geo.* 2. *cap.* 11. an act 7 *Geo.* 2. *cap.* 10. an act 9 *Geo.* 2. *cap.* 4. an act 11 *Geo.* 2. *cap.* 4. an act 13 *Geo.* 2. *cap.* 11. an act 17 *Geo.* 2. *cap.* 3. and every clauſe in them ſhall be from the firſt of May 1746, repealed and void. Statutes repealed.

XVII. *Stat.* 3 *Geo.* 3. *cap.* 12. *ſect.* 1. All white, painted, and ſtained calicoes, and all painted and ſtained muſlins, except ſuch calicoes and muſlins as are painted and ſtained in Great-Britain, and all ſorts of linen which ſhall be imported into this kingdom, except they be of the manufacture of Great-Britain, or be painted or ſtained in Great-Britain, at any time within the ſpace of twenty one years from the end of this preſent ſeſſion of parliament, and from thence to the end of the ſeſſion of parliament then next enſuing, ſhall pay the ſeveral rates and duties following, (that is to ſay) one ſhilling and ſix pence *per* yard for every yard of white, painted, and ſtained calicoes, painted and ſtained muſlins, except as aforeſaid, which ſhall be imported into this kingdom within the time aforeſaid, and ſix pence a yard for every yard of any ſort of linen, except as aforeſaid, which ſhall be imported into this kingdom during the time aforeſaid. Calicoes. Muſlins, Linen, &c. Duties.

(2) The ſaid ſeveral duties to be raiſed and paid, during the continuance thereof, over and above all other duties payable for the ſame, by virtue of an act made in this kingdom, in the fourteenth and fifteenth years of the reign of king Charles the ſecond, *for ſettling the exciſe or new impoſt*, &c. and by virtue of one other act made in the ſaid fourteenth and fifteenth years of the reign of the ſaid King Charles, intituled, *an act for ſettling the ſubſidy of poundage*, &c. Over and above former duties.

XVIII. *ſect.* 2. The aforeſaid reſpective duties laid and impoſed by this act on all white, painted, and ſtained calicoes, and painted and ſtained muſlins, and linen cloths, ſhall, during the continuance thereof, be applied to the uſe of the hempen and flaxen manufactures in this kingdom, and to no other uſe; and the ſeveral ſums of money ariſing from the ſaid duties ſo granted, ſhall from time to time be paid by the vice treaſurer, or the receiver general of this kingdom, to the ſaid truſtees for the time being, upon a warrant under the hands of any five of them, without any other or further warrant. Duties impoſed by this act. The money to be paid to the truſtees.

XIX. *ſect.* 3. No drawback or debenture ſhall be allowed by any collectors, or any other officers of his Majeſty's revenue, to any perſons on account of exporting of any calicoe, muſlin, holland, ſail-cloth, or linen whatſoever out of this kingdom, excepting ſuch as are of the manufacture of, or painted or ſtained in Great Britain. No drawback, &c.

XX. *Stat* 3 *Geo.* 3. *cap.* 34. *ſect.* 1. *Whereas the ſeveral acts of parliament herein after mentioned, have been made for the improvement of the linen and hempen manufactures: (that is to ſay) an act made in the nineteenth year of the reign of his late* Recital of facts; Stat. 19 Geo. 2.

Majeſty, for repealing the ſeveral acts of parliament made in this kingdom, for the encouragement and improvement of the hempen and flaxen manufactures, and for the better regulating, improving, and encouraging the ſaid manufactures: an act made Stat. 23 Geo. 2. *in the twenty third year of the reign of his ſaid late Majeſty, for the further improvement and encouragement of the flaxen and hempen manufactures: an act made in the* Stat. 31 Geo. 2. *thirty-firſt year of the reign of his ſaid late Majeſty, to prevent frauds in lappers and others, and to prevent abuſes in the manufacture of kelp, and to prevent combinations* Stat. 33 Geo. 2. *in weavers and others: an act made in the thirty-third year of the reign of his ſaid late Majeſty for altering and amending the laws in relation to the flaxen and hempen manufactures, and the other manufactures therein mentioned: and whereas it is found neceſſary for the improvement of the ſaid manufactures, that ſeveral material alterations ſhould be made in the ſaid laws, and many additions made to them, and to avoid* Alterations neceſſary. *the difficulty and confuſion that may ariſe from a multiplicity of acts of parliament, re-* Repeal expedient. *lative to the ſaid manufactures, it is found expedient to repeal the ſaid ſeveral acts, and to make one new act containing all ſuch parts of the ſaid recited acts, as are proper to be continued, with ſuch alterations, amendments, and additions, as are herein after* Acts repealed. *contained:* all the ſaid acts, and every clauſe in them contained (except the clauſe in the ſaid act of the nineteenth year of the reign of his ſaid late Majeſty for repealing the ſeveral acts of parliament therein particularly mentioned) ſhall be repealed.

Yarn made up into hanks. XXI. *ſect.* 10. All brown or unbleached or purged linen, or hempen yarn, that ſhall be ſold or expoſed to ſale within this kingdom, ſhall be well and ſufficiently ſpun, and made up into hanks, not exceeding one pound and a half weight in each hank; and ſhall be regularly divided into two or more parts; and each part in every ſuch hank ſhall be ſeparated as the ſame ſhall be reeled, and not afterwards.

Yarn no. to be mixed. (2) And in the reeling of ſuch linen or hempen-yarn, no more than one thread at a time ſhall be reeled; and all the yarn contained in every ſuch hank, ſhall be flaxen-yarn only, or tow-yarn only, or hempen yarn only, of the ſame fineneſs throughout ſuch hank.

Damping with water, &c.. (3) And no ſuch yarn ſhall be combed or damped with water, or ſalt and water, or any other ingredient to increaſe the weight thereof; and no ſuch yarn ſhall be dried over or near a fire in order to leſſen its natural weight.

M de up link-way, &c. (4) And no ſuch yarn ſhall be made up in the rope-way, but ſhall be made up in the link-way, or four-fold ways, ſo that every part of ſuch yarn may be eaſily ſeen and examined.

Hanks or dozens. XXII. *ſect.* 11. All brown, or unbleached, or purged linen, or hempen-yarn, which ſhall exceed two dozen in the pound weight, or which ſhall exceed the value of one ſhilling and ten-pence the pound, ſhall be made up in hanks or dozens, each hank or dozen to conſiſt of twelve cuts, and no more

(2) And every ſuch cut ſhall contain one hundred and twenty threads, and no more; and every ſuch hank or dozen ſhall be one yard and a quarter in length, and no more.

Standard reel. (3) And the ſtandard-reel of this kingdom for brown or unbleached linen-yarn, ſhall be two yards and a half in circumference, and no more.

Forfeiture of yarn. XXIII. *ſect.* 12. All linen or hempen yarn that ſhall be damped or dried as aforeſaid, or that ſhall not be reeled and made up according to the directions aforeſaid, ſhall be forfeited.

Ounces uſed in weighing. XXIV. *ſect.* 13. If any ounces ſhall be made uſe of in any fair or market, in order to diſtinguiſh or aſcertain the ſort or denomination, or weight of any linen or hempen yarn, exceeding in value two ſhillings the pound weight, ſuch ounces ſhall be forfeited, and every perſon making uſe of the ſame as aforeſaid, ſhall forfeit ten ſhillings for every time he or ſhe ſhall ſo make uſe of the ſame.

XXV. *ſect.*

XXV. *ſect.* 15. All white or unbleached thread, commonly called count thread, made of double flaxen yarn, ſhall be reeled on a reel of thirty inches or more in circumference, and ſhall be divided into ſkeins, each ſkein containing ten threads or more. Count thread.

(2) And all threads made of double flaxen yarn, commonly called ounce thread, ſhall be reeled on a reel of thirty-five inches or more in circumference, and ſhall be divided into ſkeins, each ſkein containing forty threads or more. Ounce thread, reel.

(3) And all boſs made of double flaxen yarn, ſhall be reeled on a reel of forty-two inches or more in circumference, and ſhall be divided into ſkeins, each ſkein containing fifty threads or more. Boſs, reel, ſkeins.

XXVI. *ſect.* 16. All coloured or unbleached threads, commonly called taylor's threads, ſhall be reeled on a reel of ſixty inches or more in circumference, and ſhall be divided into ſkeins, each ſkein containing ſixteen threads or more. Taylor's thread.

(2) And every manufacturer of threads of any kind, ſhall write, or otherwiſe affix on every package, paper, or parcel of thread by him ſold, of the value of five ſhillings or more, his chriſtian and ſir-name, and place of abode, and if reſident in the city or county of the city of Dublin, the name of the ſtreet he ſhall then reſide in. Manufacturers. Name and abode.

XXVII. *ſect.* 17. All white diaper or twilled tapes made of ſingle flaxen yarn, commonly called diaper inkles, ſhall contain thirty-three threads or more in breadth, and ſhall be made up in pieces, each piece containing thirty-ſix yards or more. Breadth of inkles.

(2) And all white diaper or twilled tapes, commonly called diaper filletting, ſhall contain ſixty threads or more in breadth, and ſhall be made up in pieces, each containing thirty-ſix yards or more. Breadth of filletting.

XXVIII. *ſect.* 18. All white plain tapes made of ſingle flaxen yarn, commonly called chatts, inkles, or filletting, ſhall be made up in pieces, each piece containing thirty-ſix yards or more; and ſuch chatts ſhall contain thirteen threads in breadth, inkles ſhall contain twenty-one threads in breadth, narrow filletting ſhall contain thirty-three threads in breadth, and broad filletting ſhall contain forty-nine threads in breadth or more. Length of chatts, breadth of chatts, inkles, &c.

XXIX. *ſect.* 18. All cherry or red tapes ſhall be made up in pieces, each piece containing eighteen yards or more; and all plain ſtriped tapes ſhall be made up in pieces, each piece containing twenty-four yards or more. Cherry tapes, ſtriped tapes.

(2) And all other coloured linen tapes, and ſtriped diaper or twilled tapes, ſhall be made up in pieces, each piece containing thirty-ſix yards or more. Coloured and twilled tapes.

XXX. *ſect.* 20. And all braids, ferretting, and ſhoe-lace, made of flaxen yarn, or flaxen yarn mixed with ſilk or worſted, ſhall contain in length eighteen yards or more in each piece. Braids, ferretting, ſhoe-lace.

(2) And all laces made of flaxen yarn, commonly called points, and all laces made of cotton or cotton mixed with flaxen yarn or thread, ſhall contain fifteen threads or more in breadth. Cotton laces, &c.

(3) And all white bobbin made of ſingle flaxen yarn, ſhall contain twenty-four yards in each piece, and all bobbin made of double flaxen yarn, ſhall contain twelve yards in each piece. White bobbin.

XXXI. *ſect.* 21. All tapes and bobbin that ſhall be woven in the looms commonly called Dutch engines, or ſwivel looms, and made in imitation of the tapes and bobbin imported from foreign parts, ſhall be made up in pieces of the reſpective lengths herein after mentioned, that is to ſay, every piece of plain or twilled tapes made of ſingle flaxen yarn, commonly called, common Holland tapes, ſhall contain nineteen yards and an half, or upwards; every piece of plain or twilled filletings, made of ſingle flaxen yarn, ſhall contain twenty-two yards or upwards. Tapes, &c. made in Dutch engines.

(2) And

Plain tapes.

(2) And every piece of fine plain tapes and fillettings, made of part double and part ſingle flaxen yarn, commonly called fine French tapes, ſhall contain ten yards and an half in length or upwards.

Twilled tapes.

(3) And every piece of fine twilled diaper tapes, made of part ſingle and part double flaxen yarn, ſhall contain ten yards and one quarter in length or more.

Bobbin or band-ſtring twiſt.

(4) And every piece of bobbin or bandſtring twiſt, made of double or ſingle flaxen yarn, ſhall contain fifteen yards in length or upwards.

Not conformable to this act, forfeited.

XXXII. *ſect.* 22. If any perſon ſhall ſell or expoſe to ſale any threads, tapes, chatts, inkles, fillettings, brades, ferrettings, ſhoe-lace, points, or bobbin, that is not conformable to the lengths, breadths, and rules aforeſaid, or if the ſame ſhall be found in the cuſtody or poſſeſſion of any weaver, ſhopkeeper, petty chapman, or retailer, the ſame ſhall be forfeited to ſuch perſons as ſhall ſeize the ſame, and inform thereof, in manner herein and after mentioned.

Splits in reeds, to be equally divided.

XXXIII. *ſect.* 23. Every maker of weaving reeds ſhall equally divide all the ſplits in each reed by him made or ſold, or expoſed to ſale, and ſhall likewiſe mark with an iron brand, or ſome proper inſtrument, in legible and durable characters on every ſuch weaving reed, his chriſtian name, ſir-name, and place of reſidence, and alſo the hundreds of ſuch reed, upon pain of forfeiting ſuch reed, or the value thereof, and alſo twenty ſhillings for every ſuch reed not equally divided in the ſplits, or not marked as aforeſaid.

Weavers uſing unequally divided reeds.

XXXIV. *ſect.* 24. No linen weaver, or linen manufacturer, ſhall make uſe of, or keep, or knowingly ſuffer to be kept in his houſe, or in any out-houſe or place to him belonging, any weaving reed, that ſhall not be equally divided into ſplits, and marked as aforeſaid, upon pain of forfeiting every ſuch reed to be broken, and alſo ten ſhillings for every ſuch reed.

Cords acroſs the end of linen.

XXXV. *ſect.* 25. Every linen weaver or linen manufacturer ſhall acroſs each end of every piece of linen cloth by him, his journeyman, or apprentice, woven, weave, or cauſe to be woven, two coarſe threads, or cords, diſtant from each other about one fourth part of an inch, and ſhall alſo write, or cauſe to be written, with pen and ink, cloſe to ſuch coarſe threads or cords on each end, in legible characters, his chriſtian-name, ſir-name, and place of reſidence.

Name and reſidence of the weaver.

Yarn to be wove as agreed.

XXXVI. *ſect.* 26. Every weaver ſhall well and ſufficiently weave all ſound and ſufficient linen and hempen yarn, to him delivered to be woven within ſuch time, and in ſuch reeds, and into cloth of ſuch breadths, as ſhall be agreed upon between the owners of ſuch yarn and ſuch weaver, upon pain of forfeiting to the owners of ſuch yarn the full value, or the full price agreed upon for weaving ſuch yarn.

Hiring journeymen without a certificate.

XXXVII. *ſect.* 27. No perſon ſhall entertain any journeyman linen weaver inhabiting in this kingdom, in any employment as a linen weaver, unleſs ſuch journeyman linen weaver ſhall firſt produce to the perſon about to hire him, a certificate in writing, under the hand of the maſter he laſt ſerved in this kingdom, of ſuch journeyman's being diſcharged from ſuch maſter's ſervice, or of a juſtice of peace or chief magiſtrate, as hereafter mentioned, upon pain of forfeiting five pounds

Refuſing to give a certificate.

XXXVIII. *ſect.* 28. And if any maſter ſhall refuſe, without juſt cauſe, to give ſuch certificate, upon comp'aint made thereof by ſuch journeyman to a juſtice of the peace of the county, or chief magiſtrate in any corporate town where ſuch maſter inhabits, ſuch juſtice of peace or chief magiſtrate ſhall ſend for ſuch maſter, and upon his appearance ſhall require from him the reaſon why ſuch journeyman is refuſed his diſcharge.

Maſter refuſing to appear,

XXXIX. *ſect.* 29. In caſe ſuch maſter ſhall wilfully decline to appear before ſuch juſtice of the peace or chief magiſtrate, or upon his appearance, ſuch juſtice of the peace,

peace, or chief magiſtrate ſhall find that the cauſe of refuſal of ſuch certificate is not ſufficient, in either of the ſaid caſes, ſuch juſtice of the peace or chief magiſtrate is required to give to ſuch journeyman a certificate of ſuch cauſeleſs refuſal; which certificate by ſuch juſtice of the peace or chief magiſtrate, ſhall be as effectual as if a certificate had been given by ſuch maſter, and ſhall be given without fee or reward, and ſhall fully diſcharge ſuch journeyman to all intents and purpoſes. Certificate of refuſal.

XL. *ſect.* 30. If any perſon ſhall forge or counterfeit any ſuch certificate, or ſhall produce any ſuch certificate, knowing the ſame to be forged or counterfeited, ſuch perſon, upon being indicted and convicted thereof, ſhall ſuffer one year's impriſonment, without bail or mainprize. Forging certificate.

XLI. *ſect.* 31. No linen weaver or linen manufacturer ſhall employ his apprentice for any unreaſonable time in huſbandry, or any other work or labour not relating to the buſineſs or trade of a linen weaver, except only during twenty-four days in harveſt in every year; upon pain of forfeiting for the firſt offence ten ſhillings, and for the ſecond offence twenty ſhillings, and for the third offence ſuch apprentice ſhall, if he deſires the ſame, be diſcharged from ſerving the remaining time of his apprenticeſhip, and alſo have what apprentice-fee was given with him to ſuch linen weaver or manufacturer, returned to him. Employing apprentices, Except in harveſt.

XLII. *ſect.* 32. If any perſon ſhall ſummon, or cauſe to be ſummoned, by writing or otherwiſe, any manufacturer, artificer, weaver, journeyman, apprentice, or labourer, uſually employed in any branch of the linen, hempen, or cotton manufacture, or in any manufacture wherein any linen, hempen, or cotton yarn or thread ſhall be mixed or wrought up, to appear at any meeting, in order to conſult upon, or to enter into any rule, agreement, or combination, to aſcertain or fix the price of labour or workmanſhip, or ſhall adminiſter, or cauſe to be adminiſtered, any oath or declaration to any ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, tending to fix the price of wages of labour or workmanſhip, or ſhall iſſue, or cauſe to be iſſued, deliver, or cauſe to be delivered, any ticket, certificate, or token, other than and except ſuch ticket or certificate as ſhall or may be delivered by, or by the order of the corporation, whereof ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, is or ſhall be a member, to any ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, of his being licenſed to work at their reſpective trades, or ſhall make, or join in making any rule, order, or regulation, relating to the prices or wages of labour or workmanſhip, in any part or branch of the linen, hempen, or cotton manufacture, or of any manufactures made up of cotton, hemp, or linen, or wherein any hemp, linen, or cotton, are or ſhall be mixed, or ſhall by force, menaces, or otherwiſe, hinder, or attempt to hinder, any ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, to work at their reſpective trades, at ſuch prices as they ſhall agree for with their reſpective employers; every ſuch perſon being thereof lawfully convicted by the teſtimony upon oath of one credible witneſs, or by the confeſſion of the perſon charged with ſuch offence, before any one juſtice of the peace, or any chief magiſtrate within their reſpective juriſdictions, which oath ſuch juſtice or chief magiſtrate is hereby impowered and required to adminiſter, it ſhall be lawful for ſuch juſtice and chief magiſtrate reſpectively, by warrant under his hand and ſeal, to commit the perſons ſo convicted to gaol, there to be kept without bail or mainprize for ſix months, and alſo to order the perſons ſo convicted to be three times publickly whipped, at ſome publick place within the juriſdiction of ſuch juſtice of the peace or chief magiſtrate. Summoning manufacturers, &c. to appear at meetings, &c. adminiſtring oaths, iſſuing tickets, &c. making rules, &c. Force and menaces. Conviction before one juſtice. committal for ſix months. Thrice whipped.

XLIII. *ſect.* 33. If any ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, as aforeſaid, ſhall take an oath or enter into any combination Entring into combinations.

or

Taking oaths.

or agreement to aſcertain or fix the price of wages or workmanſhip, or take any oath, or enter into any combination not to work for any particular maſters or employers, and ſhall be thereof convicted by the teſtimony upon oath of one credible witneſs, or by the confeſſion of the perſon charged with ſuch offence, before one juſtice of the peace, or any chief magiſtrate within their reſpective juriſdictions, which oath ſuch juſtice or chief magiſtrate is required to adminiſter; it ſhall be lawful for ſuch juſtice or chief magiſtrate, by warrant under his hand and ſeal, to commit the perſons ſo convicted to goal, there to be kept without bail or mainprize, for ſix months, and alſo to order the perſons ſo convicted to be three times publickly whipped at ſome publick place within the juriſdiction of ſuch juſtice or chief magiſtrate ſhall think proper.

Conviction before one juſtice.

Committal for ſix months,

thrice whipped.

Breaking into houſes, &c.

XLIV. *ſect.* 34. If any perſon ſhall by day or by night break into any houſe or ſhop, or enter by force into any houſe or ſhop, with intent to cut or deſtroy any linen, hempen, or cotton yarn, or any linen, cotton, or hempen cloth, or any manufacture made or mixed with linen, cotton, or hempen yarn, or any tools employed in making thereof, or any bay or woollen yarn, or any manufacture wherein any bay or woollen yarn ſhall be uſed or wrought up, or any tools employed in the making thereof, or ſhall wilfully or maliciouſly cut or deſtroy any linen or hempen, cotton, or woollen manufacture, or any manufacture made or mixed with linen, hempen, cotton, or woollen yarn, or ſhall wilfully and maliciouſly break and deſtroy any tools uſed in making or manufacturing of the ſame, not having the conſent of the owner ſo to do, every ſuch offender, being thereof lawfully convicted, ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Cutting, &c. manufactures, &c.

Breaking tools, &c

Felony without clergy.

Makers of hackles, &c.

XLV. *ſect.* 35. Every maker of hackles, ſpinning-wheels, reels, weaving reeds, or weaving looms, and alſo every weaver or manufacturer of linen or hempen cloth, and every hackler or dreſſer of flax or hemp, may and is hereby authorized to exerciſe the ſaid reſpective trades in any city or town corporate within this kingdom, without any let or hinderance from any perſon, and without being chargeable with the payment of any money or duty, for or in reſpect of his following ſuch trade or buſineſs.

Breadth of fourteen hundred cloth.

XLVI. *ſect.* 36. No perſon ſhall ſell or expoſe to ſale any piece of plain linen cloth, being of or exceeding the ſet of fourteen hundred, made or intended to be of the denomination commonly called yard-wide, that ſhall not be when brown, and before the ſame ſhall be bleached, thirty-ſeven inches and a half broad at leaſt, and which ſhall not be when bleached thirty-four inches broad at leaſt, upon pain of forfeiting ſuch piece.

Breadth of twelve hundred cloth.

XLVII. *ſect.* 37. No perſon ſhall ſell or expoſe to ſale any piece of plain linen cloth, being of or exceeding the ſet of twelve hundred, made or intended to be of the denomination commonly called ſeven eighths wide, that ſhall not be when brown, and before the ſame ſhall be bleached, thirty-two inches and a half broad at leaſt, and which ſhall not be when bleached, thirty inches broad at leaſt, upon pain of forfeiting ſuch piece.

Breadth of ſix hundred cloth.

XLVIII. *ſect.* 38. No perſon ſhall ſell or expoſe to ſale any piece of plain linen cloth, being of or exceeding the ſet of ſix hundred, made or intended to be of the denomination commonly called three quarters wide, that ſhall not be when brown, and before the ſame ſhall be bleached, twenty-eight inches broad at leaſt, and which ſhall not be when bleached twenty-five inches broad at leaſt, upon pain of forfeiting ſuch piece.

No cloth leſs than twenty-five inches.

XLIX. *ſect.* 39. No piece of white or bleached plain linen cloth, ſhall be ſold or expoſed to ſale, that ſhall not be twenty-five inches broad at leaſt, upon pain of forfeiting ſuch piece.

L. *ſect.*

L. *ſect.* 40. No piece of plain linen cloth of the kind or denomination commonly called Colerains, ſhall be ſold or expoſed to ſale, that ſhall not be when brown, and before the ſame ſhall be bleached, thirty-two inches broad at leaſt, or that ſhall not be when bleached thirty inches broad at leaſt, upon pain of forfeiting ſuch piece. Colerains.

LI. *ſect.* 41. No piece of brown or unbleached plain linen cloth ſhall be ſold or expoſed to ſale, or packed up, or entered for exportation, that ſhall not be throughout ſuch piece twenty-ſix inches broad at leaſt, upon pain of forfeiting ſuch piece. Brown cloth.

LII. *ſect.* 42. No piece of brown or unbleached plain linen cloth, or hempen cloth, or of plain cloth made of cotton yarn, or of cotton and linen yarn mixed, ſhall be ſold, or expoſed to ſale, or packed up, or entered for exportation, which ſhall be thicker or finer in the ſelvage than in the body of ſuch piece, or which ſhall not be of equal fineneſs and thickneſs throughout every part of the length and breadth of ſuch piece. Selvage of equal fineneſs.

LIII. *ſect.* 43. No piece of brown or unbleached plain linen cloth, of the ſet of eight hundred or upwards, ſhall be ſold or expoſed to ſale within the province of Ulſter, which if thirty-ſix, thirty-ſeven, or thirty-eight inches broad, ſhall contain any greater number of yards in length than twenty-five yards, upon pain of forfeiting ſuch piece, and alſo forty ſhillings by the perſon ſelling or expoſing ſuch piece to ſale, or packing up or entering the ſame for exportation. Eight hundred or upwards. Length of pieces.

LIV. *ſect.* 44. Every piece of brown or unbleached linen cloth, that ſhall be brought to any fair or market, or that ſhall be ſold or expoſed to ſale, ſhall be ſo bought, ſold, or expoſed to ſale in open folds, and no ways tied at either end, or in the middle. Folds to be open.

(2) And every ſuch piece, excepting ſuch as are generally known by the names of Oſnabrigs or Dowlaſſes, ſhall be alſo criſped; and every ſingle piece of ſuch linen cloth, not containing more than twenty-five yards in length, ſhall be in folds not exceeding twenty-ſeven inches in length in each fold. Length of folds.

LV. *ſect.* 45. And every double piece of ſuch linen cloth, not containing more than fifty yards in length, ſhall be in folds not exceeding thirty-ſix inches in length in each fold. Double pieces.

(2) And every double piece of ſuch linen cloth, containing more than fifty yards in length, ſhall be in folds not exceeding forty-five inches in each fold, upon pain of forfeiting ſuch piece.

LVI. *ſect.* 46. And if any perſon ſhall buy or offer to buy any piece of brown or unbleached linen cloth in any wiſe tied, or otherwiſe than criſped, and in open folds, ſuch perſon ſhall forfeit three pounds for every ſuch piece of cloth ſo bought, or offered to be bought as aforeſaid. Buyers of brown cloth.

LVII. *ſect.* 47. All linen, cotton, and hempen cloth, and all cloth mixed with linen, cotton, or hempen yarn, ſhall be meaſured between ſeal and ſeal; and bad and inſufficient ends ſhall not be taken into the length thereof; and ſhall be bought and ſold by no other meaſure but the ſtatute yard, containing thirty-ſix inches. Meaſure of cloth

(2) And no extraordinary meaſure or allowance, except the breadth of a thumb, as is now generally practiſed, to every yard in the meaſuring thereof, ſhall be made therein by the ſeller to the buyer, or required, or accepted of, or taken, by the buyer from the ſeller. No allowance.

(3) And no part of the price or value thereof ſhall be ſtopped, demanded, or received, by the buyer from the ſeller, under colour of any agreement or uſage whatſoever, upon pain that every perſon ſo buying or ſelling ſuch goods, contrary to the true intent of this act, ſhall forfeit all ſuch goods ſo bought or ſold, and alſo twenty ſhillings for every ſuch offence. No ſtoppage.

Selling cloth ſtained.

LVIII. *ſect.* 48. No perſon ſhall knowingly ſell or expoſe to ſale any piece of brown or unbleached linen or hempen cloth, any part whereof ſhall have been dyed or ſtained either in the yarn or cloth, with bean-leaves, bark, lamp-black, charcoal, indigo, burned ſtick, or gunpowder, or any other material which has a tendency to render the part ſo ſtained or dyed difficult to bleach, upon pain of forfeiting ſuch piece, and alſo twenty ſhillings for every ſuch piece.

Cloth to be cut.

(2) And every ſuch piece of cloth ſhall be cut into parts, not exceeding four yards in length, in any one part.

Glazing machines.

LIX. *ſect.* 49. No perſon in the province of Ulſter ſhall make uſe of, or have in his cuſtody or poſſeſſion, or knowingly ſuffer or permit to be kept in his houſe or place to him belonging, any glazing machine, mill or engine for glazing or ſmoothing unbleached or brown linen or hempen cloth, in order to make the ſame look thicker, upon pain of forfeiting every ſuch glazing machine or mill, and alſo the ſaid cloth that ſhall be ſo glazed, and alſo three pounds.

Lime, ſoaper's dregs, pigeon's dung.

LX. *ſect.* 50. No perſon ſhall make uſe of lime, ſoaper's dregs, or pigeon's dung, in the bleaching or whitening of linen or hempen cloth, or linen or hempen yarn, except ſuch perſons as ſhall be particularly employed or directed for that purpoſe by the truſtees herein after mentioned, or by any five of them, to make uſe of lime in bleaching ſuch pieces of linen cloth, as ſhall be particularly ordered or delivered to ſuch perſons by the ſaid truſtees, for the purpoſe only of making experiments how far lime may be ſafely and advantageouſly uſed in bleaching, upon pain of forfeiting ſuch cloth or yarn, or the value thereof, and alſo five pounds for every piece of linen cloth, and five ſhillings for every hank of linen yarn, in the bleaching or whitening whereof any lime, ſoaper's dregs, or pigeon's dung ſhall be uſed, without ſuch direction as aforeſaid.

Mixing ſtones, &c. with kelp.

LXI. *ſect.* 51. No perſon ſhall mix any ſtones, ſand, or gravel amongſt kelp, in the burning or manufacturing thereof, or ſhall ſell, or expoſe to ſale, any kelp adulterated with ſtones, ſand, or gravel, upon pain of forfeiting all ſuch kelp as ſhall be ſo mixed or adulterated, and alſo three pounds for every one hundred weight thereof.

Thrown out for manure.

(2) And ſuch kelp ſhall be broken into ſmall parts, and thrown out for manure on any land, except ſuch land as ſhall belong to the perſon determining ſuch offence.

Demiſe of bleach-yards.

LXII. *ſect.* 52. It ſhall be lawful for every perſon, being ſeized in poſſeſſion in law or equity of an eſtate in fee-tail, or for his life, with immediate remainder over to, or in truſt for his iſſue, to demiſe any part of the land whereof they ſhall be ſo ſeized, being no part of the demeſne uſually occupied with their manſion-houſe, and not exceeding fifteen acres plantation-meaſure, for one or more life or lives renewable for ever, or for any term of years, at the full improved yearly value of ſuch lands, to be ſet to a ſolvent tenant at the time of making ſuch leaſe, for the purpoſe of making a bleach-yard or bleach-green thereon, or of preſerving and continuing a bleach-yard or bleach-green already made thereon, and furniſhing conveniencies for the workmen and perſons to be employed therein.

For lives renewable, &c.

Improvements within three years,

(2) And in caſe the lands ſo demiſed, whereon no bleach-yard or bleach-green hath been already made, or a third part thereof, ſhall be formed into a bleach-yard or bleach-green, within three years after the making of ſuch leaſe, and a ſum of money not leſs than ten pounds, for every acre ſo demiſed, ſhall be laid out within the ſaid three years in improvements for the purpoſe only of carrying on the bleaching buſineſs on the ſame; then, and not otherwiſe, ſuch leaſe renewable for ever; or leaſe for years, ſhall be good and effectual againſt every perſon claiming any eſtate in ſuch land, as iſſue in tail, or by virtue of any limitation, remainder, or reverſion in any will or ſettlement, under which ſuch tenant in tail or for life ſhall be intitled to ſuch land at the time of making ſuch leaſe.

Leaſe good.

LXIII. *ſect.*

LXIII. *ſect.* 53. If any perſon ſhall wilfully and maliciouſly damage any linen, hempen or cotton cloth, or any manufacture made or mixed with linen or hempen yarn, in any bleach-yard, by making holes or rents therein, or by throwing gravel, ſand, or dirt, into any rubbing boards, furnace, or waſh-mill, which ſhall be uſed in ſuch bleach-yard, or by mixing dye-ſtuffs, or other improper materials, with the lyes or ſours which ſhall be uſed in ſuch bleach-yard, or in any other manner whatſoever, every ſuch perſon being thereof lawfully convicted upon indictment, ſhall be adjudged guilty of felony, and ſhall be tranſported as a felon to one of his Majeſty's plantations in America, for ſeven years. Damaging linen, &c. Felony.

LXIV. *ſect.* 54. No perſon employed to take care of, or work in any bleach-yard, ſhall fraudulently take into ſuch bleach-yard any linen, hempen, or cotton cloth, or any linen, hempen, or cotton yarn, or any manufacture mixed with any linen or hempen-yarn, in order to bleach or whiten, or otherwiſe improve the ſame, without the knowledge or privity of their maſter or miſtreſs, or owner of ſuch bleach-yard, upon pain of forfeiting to the owner of ſuch bleach-yard, forty ſhillings for every piece of ſuch cloth, and two ſhillings for every hank of ſuch yarn that ſhall be fraudulently taken in as aforeſaid. Bleachers taking in goods.

LXV. *ſect.* 55. Every perſon employed to take care of, or work in any bleach-yard, that ſhall know of any damage to have been committed with regard to any cloth or yarn in ſuch bleach-yard, ſhall, within ſix days after his or her knowing the ſame, give true information of all he or ſhe knows, or has credibly heard concerning the ſame to the owner of ſuch bleach-yard, upon pain of forfeiting to the owner of ſuch bleach-yard, the full value that ſuch cloth or yarn was of, immediately before ſuch damage. Bleachers knowing damage, &c.

LXVI. *ſect.* 56. No perſon employed to work in any bleach-yard, ſhall during the time that he or ſhe ſhall be hired to work therein, unleſs in caſe of ſickneſs, unavoidable neceſſity, or the leave of the overſeer, or the owner of ſuch bleach-yard, abſent himſelf, or herſelf from ſuch bleach-yard, upon pain of forfeiting to the owner of ſuch bleach-yard, for every day that he or ſhe ſhall be ſo abſent, the full wages or hire that he or ſhe was to have for one week's work. Employed in bleach-yards. Abſenting without leave.

LXVII. *ſect.* 57. Every perſon keeping or occupying a bleach-yard, ſhall mark or ſtamp in legible letters with lampblack or vermillion, or ſtone blue, and ſize, his or her chriſtian name and ſirname, and place of abode, with the addition of the word *Bleacher* on each end of every piece of cloth by him or her bleached or whitened, before he or ſhe ſhall ſell or expoſe the ſame to ſale, or deliver the ſame to the owner thereof, upon pain of forfeiting twenty ſhillings for every piece of cloth that ſhall be bleached by ſuch perſon, and not marked as aforeſaid. Keepers of bleach-yards. Stamp of name, &c.

LXVIII. *ſect.* 58. If any linen or hempen yarn, linen or hempen cloth, ſhall be damaged or abuſed in the bleaching or whitening thereof, whilſt under the care of any bleacher for hire, ſuch bleachers ſhall take all ſuch damaged or abuſed yarn or cloth to their own account, and pay the owners thereof the full value that ſuch yarn or cloth was worth when brown. Linen, &c. damaged.

LXIX. *ſect.* 59. No perſon ſhall keep, employ, or make uſe of any publick bleach-yard within the city of Dublin, or five miles thereof, without licence for that purpoſe firſt obtained from the truſtees herein after mentioned, or any five of them, on pain of forfeiting two hundred pounds, to be paid to ſuch perſons, and for ſuch uſes as the ſaid truſtees ſhall think proper, and no fee or reward ſhall be taken for ſuch licences. Bleach yards in Dublin, &c. Licence from truſtees.

LXX. *ſect.* 60. All brown or unbleached linen or hempen cloth, linen or hempen yarn, that ſhall be ſold in any place in this kingdom, except in the city of Dublin or ſuburbs thereof, by any perſon, other than reſident merchants or ſhop-keepers dealing Sale in open market.

dealing in ſuch cloth or yarn, or other than, and except ſuch linen or hempen yarn as ſhall be ſold in a wholeſale way (that is to ſay) in one quantity or parcel, to the value of twenty pounds or upwards, by one perſon, ſhall be ſold publickly in ſome open market or fair, between the hours of eight of the clock in the forenoon, and four of the clock in the afternoon, for linen or hempen yarn; and between the hours of ten of the clock in the forenoon, and four of the clock in the afternoon, for brown or unbleached linen or hempen cloth, on the reſpective days on which ſuch market or fair is uſually held, and if any perſon not being a reſident merchant or ſhopkeeper as aforeſaid, ſhall ſell, or offer or contract to ſell any ſuch cloth or yarn in any other manner than as aforeſaid, ſuch perſons ſhall forfeit ſuch cloth or yarn, or the value thereof.

Within the cuſtom gates.

LXXI. *ſect.* 61. All linen yarn and linen cloth, which ſhall be hereafter ſold or bought in any fair or market, ſhall be ſold and bought within the cuſtom-gates, or cuſtom-gaps of ſuch fair or market; and all linen yarn and linen cloth which ſhall be ſold or bought coming to any fair or market, and not within the ſaid cuſtom-gates or gaps, ſhall be forfeited.

Fairs in Connaught.

LXXII. *ſect.* 62. Three days before the day on which any fair is appointed to be held, except the fairs of Laneſborough and Stroakſtown, for which ſix days before the days on which the ſaid fairs of Laneſborough and Stroakſtown are reſpectively appointed to be held, and no longer time ſhall be allowed for buying and ſelling linen yarn, in any fairs within the province of Connaught.

Forfeiture of three pounds.

(2) And if any perſons ſhall act contrary to the direction aforeſaid, in buying or ſelling of linen yarn within the ſaid province, every perſon offending therein, ſhall for every ſuch offence, forfeit three pounds ſterling, provided that the above limitation of time ſhall not extend to any perſons keeping open ſhop in any town, or buying and ſelling in ſuch ſhop.

Foreſtaller or jobbers.

LXXIII. *ſect.* 63. If any perſon not being a reſident merchant or ſhop-keeper, dealing in linen or hempen cloth, or cottons, or chequers, or any manufactures mixed with linen, hempen, or cotton yarn, ſhall buy by him or herſelf, or by any perſon in truſt for him or her, any brown or unbleached linen cloths, or brown or unbleached linen yarn, in any market or fair, or in any other place, and ſhall ſell or offer to ſell by him or herſelf, or by any perſon in truſt for him or her, the ſame goods again in the ſame market or fair, or in any neighbouring market or fair, or in any other place within thirty miles from the place where the ſame ſhall have been bought on the ſame day, or within one month afterwards, without having firſt made ſome uſeful improvement or alteration in ſuch cloth, yarn, or manufacture, every ſuch perſon ſelling or offering to ſell ſuch goods, ſhall be deemed a foreſtaller, hawker, or jobber of the ſame, and ſhall forfeit ſuch goods, or the value thereof; and every perſon who ſhall buy any ſuch goods from any ſuch foreſtaller, hawker, or jobber, knowing them to have been offered to be ſold contrary to the directions aforeſaid, ſhall forfeit all ſuch goods ſo bought, or the value thereof.

Buyer's name to be wrote.

LXXIV. *ſect.* 64. No piece of brown or unbleached linen or hempen cloth, bought in any fair or market, or in any other place, ſhall be again ſold, or expoſed to ſale in any fair or market, or other place, unleſs the perſon ſo ſelling or expoſing to ſale, ſhall previous thereto have truly wrote, or cauſed to be wrote, his name with ink on the back or outſide of every ſuch piece, with the addition of the word *buyer* under the ſeal of the ſeal-maſter, upon pain of forfeiting every ſuch piece.

Seller's name to be wrote.

LXXV. *ſect.* 65. No perſon ſhall ſell or expoſe to ſale any brown or unbleached linen or hempen cloth for hire or reward, unleſs previous to his ſelling ſuch cloth, the name of ſuch perſon ſo ſelling be written in a legible manner with ink, under the

the impreſſion of the ſeal-maſters ſeal, made on the back of ſuch cloth, with the addition of the word *ſeller*; and if any perſon ſhall, for hire or reward, ſo ſell any ſuch linen, not having his or her name written thereon as aforeſaid, he or ſhe ſhall for every ſuch offence, forfeit forty ſhillings.

Yarn brought for ſale to Dublin.

LXXVI. *ſect.* 66. No perſon ſhall ſell, or agree to ſell, or buy or agree to buy any linen yarn brought from the country to the city of Dublin, nor within three miles thereof, in order to be ſold in any place within the city of Dublin, or within three miles thereof, except at the yarn market eſtabliſhed by the truſtees herein after mentioned, upon pain of forfeiting forty ſhillings for every ſuch offence.

Exemption from tolls, &c.

LXXVII. *ſect.* 67. No toll, cuſtom, or duty whatſoever, ſhall be paid or demanded for any flax-ſeed, or hemp-ſeed, flax, hemp or cotton, or any cloth made of linen or hempen, or cotton yarn, or cloth made of linen or hempen yarn, and cotton mixed, kelp, or pot-aſhes, wheels, reels, hackles or looms, for their being brought to, or kept in any market or fair, or for the paſſage of them, or any of them, over any bridge, or through any city, town, or place whatſoever (turnpike gates only excepted) and if any perſon ſhall demand, exact, or take any toll, cuſtom or duty, contrary to the intent hereof, every ſuch perſon ſo offending, ſhall, for every ſuch offence, forfeit forty ſhillings.

Except turnpikes.

No duty on export, &c.

LXXVIII. *ſect.* 68. No duty ſhall be paid to his Majeſty for the exporting any linen or hempen cloth, made or manufactured in this kingdom.

Import of aſhes, &c.

(2) And no duty ſhall be demanded to the uſe of his Majeſty for the importing any wood, or weed-aſhes of any kind uſed in bleaching, or any blue called ſmalts, or any oil of Vitriol, or black ſoap, or any bleachers furnaces, or any weaving-loom.

Flax-ſeed or hemp-ſeed, &c.

(3) And no duty ſhall be demanded, to the uſe of his Majeſty, for the importing any good and ſound flax-ſeed or hemp-ſeed of the growth of Ruſſia, Germany, the Netherlands, the Eaſt-Country, or any of the Britiſh plantations in America.

Embezling materials, &c.

LXXIX. *ſect.* 69. If any weaver, bleacher, carrier, ſeal-maſter, calender-keeper, lapper, or other perſon whatſoever intruſted with any linen or hempen-yarn, or any linen or hempen cloth, or any materials or working tools for manufacturing the ſame, ſhall fraudulently ſell or embezle the ſame, or any part thereof, of the value of one ſhilling, or upwards, ſuch weaver, bleacher, carrier, ſeal-maſter, calender-keeper, lapper, or other perſon, and the receivers thereof, knowing the ſame to be embezled, ſhall forfeit to the perſons aggrieved thereby, four times the value of ſuch yarn or cloth, or materials, or working tools ſo embezled.

Recital.

LXXX. *ſect.* 70. *To the end that the ſeveral orders and regulations herein contained for the improvement of the linen and hempen manufactures, may be effectual, and carried into due execution; and that all ſuch duties and ſums of money as are now, or ſhall be hereafter directed to be applied to the uſe of the ſaid manufactures, may effectually anſwer the purpoſes for which they are or ſhall be intended,* the ſeveral perſons, appointed for each of the four provinces of this kingdom, truſtees for encouraging the ſaid manufactures, purſuant to the powers in ſome of the *former* acts contained, ſhall continue truſtees for encouraging the ſaid manufactures, with the powers and authorities hereafter veſted in them.

Former truſtees continued.

Death of truſtees.

(2) And when any of the ſaid truſtees already appointed, or hereafter to be appointed, ſhall happen to die, in ſuch and no other caſe, the lord lieutenant, or other chief governors of this kingdom for the time being, ſhall nominate and appoint ſuch other perſons to be truſtees, for encouraging the ſaid manufactures, in the place and room of ſuch of the ſaid truſtees as ſhall happen to die, to be always nominated and appointed as aforeſaid, for the ſame province of this kingdom, for which the reſpective perſons ſo dying were formerly appointed.

LXXXI. *ſect.*

Meeting of truſtees.

LXXXI. *ſect.* 71. The ſaid truſtees for the time being, or any five of them, may from time to time, as often as they ſhall think fit, meet and aſſemble together in ſome convenient place within the city of Dublin, or liberties thereof, or county of Dublin, to ſettle and adjuſt ſuch matters as they ſhall think moſt expedient for the eſtabliſhing and carrying on the ſaid manufactures, and for preventing all frauds and abuſes that may happen in the ſame, or any branch thereof.

Appointment of officers.

LXXXII. *ſect.* 72. The ſaid truſtees, or the major part of them, preſent at any ſuch meeting, ſuch major part not being leſs than ſeven in number, may appoint, during their pleaſure, a clerk, door-keepers, and other neceſſary ſervants to attend them; and alſo officers, factors, and ſervants to attend and execute the buſineſs of the linen-hall, yarn-hall, flax and hemp-market, and calender-houſe, and aſcertain and direct proper ſalaries to be paid to ſuch clerk, door-keepers, ſervants, officers, and factors reſpectively, not exceeding in the whole four hundred pounds a year, to be paid out of the duties to be granted for the purpoſes in this act.

Contracts by truſtees.

LXXXIII. *ſect.* 73. The ſaid truſtees, or the major part of them, preſent at any ſuch meeting, ſuch major part not being leſs than ſeven in number, or their clerk for the time being, by the order of ſuch major part of them, may enter into any contracts with any perſons for the carrying on the ſaid linen and hempen manufactures, or any branch or branches thereof; which contracts ſhall, as to the ſaid truſtees or their clerk, be binding only upon, and anſwered out of the ſaid duties.

Utenſils lent by truſtees.

LXXXIV. *ſect.* 74. No looms, ſpinning-wheels, reels, hackles, calenders, or preſſes, or any of them, which the ſaid truſtees ſhall lend to any perſons for carrying on the ſaid manufactures, or any branch of them, being ſealed, or ſtamped with the ſeal or ſtamp appointed or uſed by the ſaid truſtees for that purpoſe, ſhall be diſtrained for rent or hearth-money, or on any other account whatſoever, or ſhall be ſeized by virtue of any proceſs or execution by any ſheriff, ſeneſchal, or bailiff, or other perſon.

Appointment of packers, ſeal-maſters and lappers

LXXXV. *ſect.* 75. *For the more effectual preventing of all frauds and abuſes in the ſaid manufactures, and in every branch thereof*, it ſhall be lawful for the ſaid truſtees, or any five of them, to licence and appoint during their pleaſure ſuch fit and proper perſons, and in ſuch places as they ſhall judge convenient to be packers of dreſſed hemp, or ſeal-maſters of brown or unbleached linens, or lappers of white linens.

Making rules and orders.

LXXXVI. *ſect.* 76. The ſaid truſtees, or the major of them preſent at any ſuch meeting, ſuch major part not being leſs than five in number, may make ſuch rules, orders and directions (provided the ſame be not contrary to this act) for regulating, governing, and directing the ſaid linen-hall, yarn-hall, flax and hemp market, and calender-houſe, and all cloths, yarn, flax, and hemp brought thereto, or lodged therein, and all officers, factors, and ſervants employed in or about the ſaid linen-hall, yarn-hall, flax and hemp warehouſe or calender-houſe; and alſo for governing and directing all officers, ſervants, ſeal-maſters and lappers that ſhall be appointed by them as aforeſaid, as the ſaid truſtees, or ſuch major part of them ſhall think proper; and every ſuch clerk, packer, ſeal-maſter, lapper, officer, factor, or ſervant ſo appointed, ſhall be ſubject to and obſerve all ſuch rules, orders, and directions, and under ſuch fines or penalties, not exceeding twenty pounds for any one offence, as the ſaid truſtees ſhall ſo appoint.

Securities by bond.

LXXXVII. *ſect.* 77. The ſaid truſtees, or any five of them, are hereby impowered to take ſuch ſecurities, by bond or otherwiſe, in the names of any one or more of them, or in the name of their clerk for the time being, for the due obſervance of all ſuch rules, orders, and directions as aforeſaid, by every ſuch clerk, packer,

packer, ſeal-maſter, lapper, officer, factor, or ſervant reſpectively, as the ſaid truſtees ſhall direct and appoint.

LXXXVIII. *ſect.* 78. It ſhall be lawful for the ſaid truſtees, or any five of them, to adminiſter to every ſuch clerk, packer, ſeal-maſter, lapper, officer, factor and ſervant reſpectively, any oath for the faithful execution of their reſpective offices. Adminiſtring oaths, &c.

LXXXIX. *ſect.* 79. If any complaints ſhall be made againſt any ſuch clerk, packer, ſeal-maſter, lapper, officer, factor, or ſervant, for any fraud, miſbehaviour, or neglect in his ſaid office, it ſhall be lawful for the ſaid truſtees, or any five of them, on examination upon oath of the parties, and ſuch witneſſes as ſhall appear, or be produced before them (which oath the ſaid truſtees are hereby impowered to adminiſter) finally to hear and determine the ſame, and to impoſe ſuch fine upon any ſuch clerk, packer, ſeal-maſter, lapper, officer, factor, or ſervant, not exceeding twenty pounds for any one offence; and to be paid to ſuch perſons as the ſaid truſtees ſhall judge proper. Complaints of fraud or neglect.

XC. *ſect.* 80. It ſhall be lawful for the ſaid truſtees to commence, proſecute, and defend, in the name of their clerk, any ſuit either in law or equity, touching any contract or agreement made or entered into, or hereafter to be made or entered into, by the ſaid truſtees, or any ſeven of them, or their clerk by ſuch order as aforeſaid; and all ſuits and proceedings in any court of law or equity, in the name of ſuch clerk, ſhall be as good and effectual to all intents and purpoſes, as if ſuch ſuits and proceedings had been commenced, proſecuted, defended, or carried on in the names of the ſaid truſtees, or any of them. Suits in the name of the clerk.

XCI. *ſect.* 81. In caſe any bill or petition ſhall be filed or exhibited in any court of equity againſt the ſaid truſtees, or any of them, or their clerk, on account of any matter by the ſaid truſtees, or any of them, made or done in execution of the powers, authorities, or truſts heretofore or hereby veſted in them the ſaid truſtees, or any of them, ſhall not be obliged to anſwer ſuch bill or petition, but the anſwer of ſuch clerk to ſuch bill or petition ſhall be deemed to be the anſwer of the ſaid truſtees, and ſhall be binding upon them to all intents and purpoſes. Bills in equity. Truſtees not to anſwer.

XCII. *ſect.* 82. In caſe ſuch clerk ſhall happen to die, or be removed whilſt ſuch ſuit ſhall be depending, ſuch ſuit ſhall not abate by the death or removal of ſuch clerk, but ſhall be carried on in the name of the ſucceeding clerk, and ſhall ſtand in the ſame plight and condition, as it was immediately before ſuch death or removal. Death or removal of the clerk.

XCIII. *ſect.* 83. The ſaid truſtees, or any three of them, ſhall meet the firſt Monday in every month of May, Auguſt, November, and February, for the purpoſe only of hearing and determining all complaints that ſhall be made againſt ſuch clerk, packers, ſeal-maſters, lappers, officers, factors, or ſervants, or any of them; and ſhall ſit from day to day, until all ſuch complaints are finally determined. Days of meetings.

(2) And any perſons who ſhall think themſelves aggrieved by any determination of ſuch three or more of the ſaid truſtees, may at any time within one month after ſuch determination, appeal to the ſaid truſtees: the determination of whom, or any five of them therein, ſhall be final and concluſive. Appeal to truſtees.

XCIV. *ſect.* 84. Every ſeal-maſter of brown or unbleached linen or hempen cloth, appointed, ſhall carefully view, examine, and meaſure every piece of linen or hempen cloth that ſhall be produced and offered to him to be ſealed; and if the ſame ſhall appear to him to be merchantable, and to be in every reſpect conformable to the directions aforeſaid, then, and not otherwiſe, ſuch ſeal-maſter ſhall fold up the ſame in folds, beginning from one of the ends of ſuch piece. Viewing and meaſuring cloth.

(2) And if ſuch piece ſhall not contain more than twenty five yards in length, no ſuch fold thereof ſhall exceed twenty-ſeven inches; and if ſuch piece ſhall not Length of folds.

contain

contain more than fifty yards in length, no ſuch fold thereof ſhall exceed thirty-ſix inches; and if ſuch piece ſhall contain more than fifty yards in length, no ſuch fold thereof ſhall exceed forty-five inches.

Folds not to be locked.

(3) And none of ſuch folds on either ſides ſhall be incloſed or involved, or what is commonly called locked; and the firſt or outſide fold of every ſuch piece ſhall begin from one of the ends of ſuch piece, and that end ſhall not in any manner be folded in.

Impreſſion of ſeal.

XCV. *ſect.* 85. Every ſuch ſeal-maſter ſhall affix a fair impreſſion of ſuch ſeal, as ſhall be appointed for him by the ſaid truſtees, with lampblack or vermillion, or ſtone-blue and ſize or common oil on the middle of ſuch fold, at not more than thirteen inches and an half from the end of ſuch piece, as ſhall not contain more than twenty-five yards, and at not more than eighteen inches from the end of ſuch piece as ſhall not contain more than fifty yards in length, and not more than twenty-two inches and a half from the end of ſuch piece, as ſhall contain more than fifty yards in length.

Each end to be ſealed.

XCVI. *ſect.* 86. Such ſeal-maſter ſhall affix a fair impreſſion of ſuch ſeal, with ſuch ingredients as aforeſaid, on each of the ends of every ſuch piece, and ſhall likewiſe mark with ſuch ingredients as aforeſaid, on the back or outſide of every

Breadth to be marked.

ſuch piece, the length of ſuch piece, and the number of inches it contains in breadth, and alſo the half inch, if the ſame ſhall be in breadth half an inch more than any number of inches, without regard to any leſſer fractions of an inch, and the name of ſuch ſeal-maſter, and the county wherein he reſides.

Damaged parts.

XCVII. *ſect.* 87. If any parts of ſuch piece ſhall be damaged or faulty, but not ſo damaged or faulty as to render the ſame unmerchantable, every ſuch damaged or faulty part ſhall be fairly expoſed in the lap or boſom of ſuch piece, ſo as that the ſame may be eaſily ſeen, and oppoſite to ſuch damaged or faulty part, upon the boſom of every ſuch piece ſuch ſeal-maſter ſhall affix an impreſſion of his ſeal, with ſuch ingredients as aforeſaid, to denote ſuch damaged or faulty part.

Seal-maſter not to buy linen, &c.

XCVIII. *ſect.* 88. No ſuch ſeal-maſter ſhall buy, or offer to buy, or ſuffer to be bought in his houſe, any brown or unbleached linen or hempen cloth that ſhall be brought to him to be ſealed.

Seal-maſter not to act as a lapper.

XCIX. *ſect.* 89. No ſuch ſeal-maſter, ſhall, during the time he ſhall continue a ſeal-maſter, act as a lapper, or lap or ſeal any white or bleached linen or hempen cloth.

Fees to ſeal-maſter.

C. *ſect.* 90. Such ſeal-maſter may demand, and take one penny and no more for every piece of green or unbleached linen or hempen cloth, containing twenty-five yards or under, that ſhall be by him ſealed, and ſo in proportion for a greater quantity.

Penalty for offences.

CI *ſect.* 91. If any ſuch ſeal-maſter ſhall offend in any of the matters aforeſaid, every ſuch ſeal-maſter ſhall for every ſuch offence, forfeit ſuch ſum not leſs than ten ſhillings, nor exceeding forty ſhillings, as the perſons herein after impowered to determine ſuch offences, ſhall, upon the circumſtances of the caſe adjudge and determine.

Green cloths.

CII. *ſect.* 92. No perſon ſhall ſell, or expoſe to ſale, or pack up, or enter for exportation, or buy, or agree to buy any piece of green or unbleached linen or hempen cloth, that ſhall not be at the time of ſelling, or expoſing the ſame to ſale, or of packing up, or entering for exportation, ſealed and marked *(as is directed by this act)* upon pain of forfeiting five pounds for every ſuch piece. *See ſeal-maſters.*

To meaſure and examine linen.

CIII. *ſect.* 93. Every lapper of white or bleached linen, or hempen cloth, appointed as aforeſaid, ſhall carefully view, examine, and meaſure every piece of white or bleached linen or hempen cloth, that ſhall be produced and offered to be lapped.

(2) And

(2) And if the ſame ſhall appear to him to be merchantable, and to be comformable to the directions aforeſaid, then, and not otherwiſe, ſuch lapper ſhall lap and make up the ſame, in ſuch manner, and in ſuch folds, as the ſaid truſtees, or any five of them, ſhall for that purpoſe direct. Merchantable to be lapped.

CIV. *ſect.* 94. Every ſuch lapper, ſhall, with vermillion, or ſtone-blue and ſize, mark on every ſuch piece the length thereof, and the number of entire inches, and alſo the half inch, if the ſame ſhall be in breadth half an inch more than any number of inches ſuch piece contains in breadth, without regard to any leſſer fractions of an inch; and alſo the name of ſuch lapper, and the county wherein he ſhall then reſide, and alſo ſuch other impreſſion as the ſaid truſtees ſhall direct, upon ſuch parts of ſuch piece as the ſaid truſtees ſhall direct. Length and breadth to be marked. Name and county of the lapper.

CV. *ſect.* 95. If any part of ſuch piece ſhall be damaged or faulty, but not ſo much damaged or faulty as to render the ſame unmerchantable, every ſuch damaged or faulty part ſhall be fairly expoſed in the lap or boſom of ſuch piece, ſo as that the ſame be eaſily ſeen; and oppoſite to ſuch faulty or damaged part, ſuch lapper ſhall affix an impreſſion of his ſeal, with ſuch ingredients as are laſt mentioned, to denote ſuch damaged or faulty part. Damages and faults.

(2) No ſuch lapper ſhall fold or put up two or more pieces, ſo as to ſeem only one intire piece. Folding two pieces.

(3) And ſuch lapper ſhall demand, and take the ſum of two pence and no more, for each piece of white or bleached linen or hempen cloth, that ſhall be lapped and marked by him as aforeſaid. Fees for lapping.

CVI. *ſect.* 96. No perſon ſhall ſell or expoſe to ſale, or pack up, or enter for exportation, or buy, or agree to buy, any piece of white or bleached linen or hempen cloth, that ſhall not be lapped and marked as aforeſaid, except remnants, and ſmall pieces not exceeding ſeven yards in length, upon pain of forfeiting five pounds for every ſuch piece. Unlapped cloth.

CVII. *ſect.* 97. Every packer of hemp appointed as aforeſaid, ſhall carefully view, examine, and weigh, all ſuch dreſſed hemp as ſhall be produced and offered to him for that purpoſe. Hemp to be viewed and weighed.

(2) And if ſuch hemp ſhall appear to him to be good and merchantable, then, and not otherwiſe, ſuch packer ſhall pack and make up the ſame, and mark on each package the weight of the hemp therein contained, and ſeal or ſtamp the ſame with the name of ſuch packer, and the county in which he ſhall then reſide, and ſuch other impreſſion as the ſaid truſtees, or any five of them, ſhall appoint. Packed and the weight marked.

CVIII. *ſect.* 98. Such packer may demand, and take ſuch ſum of money as ſhall be appointed by the ſaid truſtees, or any five of them, for that purpoſe, not exceeding ſix-pence for every hundred weight of hemp ſo packed and marked. Fees for packing

CIX. *ſect.* 99. No perſon ſhall ſell or expoſe to ſale one hundred weight or any greater quantity of dreſſed hemp of the growth of this kingdom, not being packed and marked as aforeſaid, upon pain of forfeiting the ſame. Selling unpacked hemp.

CX. *ſect.* 100. If any perſon ſhall counterfeit the name of any reed maker, or the name of any linen weaver, or linen manufacturer, or the name of any buyer, or the name of any perſon keeping or occupying any bleach-yard, or the name of any draper directed to be marked or ſtamped as aforeſaid, or ſhall counterfeit the ſeal or ſtamp appointed for ſuch packer, ſeal-maſter, or lapper, or ſhall alter the figures or ſtamps made upon any piece of linen or hempen cloth, by any ſeal-maſter or lapper to mark the length or breadth of the ſame, ſuch perſon being thereof convicted, ſhall be condemned to ſtand in the pillory, or be tranſported for ſeven years, to ſome of his Majeſty's plantations in America, at the diſcretion of the judges who ſhall try ſuch offence. Counterfeiting names, &c. Pillory or tranſportation.

Uſing ſeals after notice.

CXI. *ſect.* 101. No packer ſhall ſtamp any package of hemp, or ſeal-maſter or lapper ſhall ſeal or ſtamp any piece of linen or hempen cloth, after notice that his ſeal or ſtamp is ordered by the ſaid truſtees, or any five of them, to be given up, or not to be longer uſed by him, upon pain of forfeiting twenty pounds.

Advertiſement evidence.

(2) And an advertiſement for that purpoſe, publiſhed four times ſucceſſively in the Dublin Gazette, ſhall be ſufficient evidence againſt ſuch packer, ſeal-maſter, or lapper, of ſuch order and notice thereof.

Seal to be delivered.

(3) And every packer, ſeal-maſter, or lapper, whoſe ſeal or ſtamp ſhall be ordered to be given up by the ſaid truſtees, ſhall, within two months after the laſt notice publiſhed as aforeſaid, cauſe his ſeal or ſtamp to be delivered to the clerk of the ſaid truſtees for the time being, upon pain of forfeiting twenty pounds.

Lending ſeals or ſtamps.

CXII. *ſect.* 102. No packer, ſeal-maſter, or lapper, ſhall ſell or lend his ſeal or ſtamp, or ſuffer the ſame to be uſed by any other perſon whatſoever, upon pain of forfeiting twenty pounds; and no perſon ſhall uſe the ſeal or ſtamp of any packer, ſeal-maſter, or lapper, in ſtamping or ſealing any package of hemp, or any piece of linen or hempen cloth, other than and except ſuch packer, ſeal-maſter, or lapper upon pain of forfeiting twenty pounds.

Gazette ſufficient notice.

CXIII. *ſect.* 103. An advertiſement printed in the Dublin Gazette, containing ſuch directions or orders as the ſaid truſtees, or any five of them, ſhall from time to time make as aforeſaid, to be obſerved by any packer, and continued in ſuch Gazette for four ſucceſſive times, ſhall be deemed full and ſufficient notice to all packers, ſeal-maſters, and lappers, that ſuch orders and directions were made by the ſaid truſtees.

Power of adminiſtring oaths.

CXIV. *ſect.* 104. *Whereas the ſaid truſtees, or five or more of them, in the execution of their ſaid truſts, have frequent occaſion to tender or require certificates, ſigned by a juſtice of the peace, or chief magiſtrate, or one of the ſaid truſtees, and alſo affidavits made before ſome juſtice of the peace, or chief magiſtrate, or one of the ſaid truſtees, to be laid before them:* it ſhall be lawful for every juſtice of the peace, and chief magiſtrate, and every one of the ſaid truſtees, to adminiſter an oath to, and take an affidavit from any perſon concerning any matter, in any wiſe relating to the linen or hempen manufacture, or any branch thereof.

Forging names to certificates, &c.

CXV. *ſect.* 105. If any perſon ſhall forge or counterfeit the name of any juſtice of the peace, or chief magiſtrate, or truſtee, to any certificate or affidavit that ſhall be ordered or required by the ſaid truſtees, or any five of them, or ſhall produce to the ſaid truſtees, or to their clerk for the time being, any ſuch certificate or affidavit, knowing the ſame to be forged or counterfeited, or ſhall knowingly ſwear any thing which is falſe, in ſuch affidavit, ſuch perſons ſhall, upon conviction thereof, ſuffer ſuch puniſhment as perſons convicted of wilful and corrupt perjury are by the laws of this kingdom ſubject to.

Hearing of offences.

CXVI. *ſect.* 106. All offences committed againſt any clauſe in this preſent act contained, except where the ſame are hereby particularly appointed to be heard and determined, and except where the penalty or forfeiture does or may exceed ſix pounds, may be heard and finally determined by the ſaid truſtees, or any one of them, or by any one juſtice of the peace, or chief magiſtrate of any city or town corporate within their reſpective juriſdictions.

Penalties above ſix pounds.

CXVII. *ſect.* 107. And all offences committed againſt any clauſe in this preſent act contained, where the penalty or forfeiture may exceed ſix pounds, except where the ſame are hereby particularly appointed to be heard and determined, may be heard and finally determined by the ſaid truſtees, or any five of them.

CXVIII. *ſect.*

CXVIII. *ſect.* 108. It ſhall be lawful for the ſaid ſeveral perſons hereby impowered to hear and determine the ſaid offences reſpectively, to examine upon oath all ſuch witneſſes as ſhall be produced before them reſpectively, which oath they are hereby impowered reſpectively to adminiſter, upon any complaint or information to them made, of any offence committed againſt this act. Examination on oath.

(2) And to iſſue their warrants reſpectively to any conſtables, requiring and impowering them by diſtreſs and ſale of the offender's goods (the overplus whereof ſhall be rendered to the owners) to levy the reſpective penalties or forfeituers by ſuch offenders incurred, which when levied ſhall be paid to the real informer or proſecutor in all caſes, except where the ſame are hereby otherwiſe directed to be applied, firſt deducting thereout the ſum of two ſhillings in the pound, to be paid to the conſtables for executing ſuch warrant. Warrants for diſtreſs.

CXIX. *ſect.* 109. In caſe no ſufficient diſtreſs can be found, then it ſhall be lawful for the ſeveral perſons hereby impowered to hear and determine the ſaid offences reſpectively, by their reſpective warrants, to commit ſuch offenders to the houſe of correction, or next gaol, for ſo long time as they ſhall reſpectively think proper, not exceeding ſix months in the whole. Committal for want of diſtreſs.

CXX. *ſect.* 110. When any linen or hempen cloth ſhall be determined to be forfeited for not being made purſuant to the directions aforeſaid, the perſons ſo determing the ſame to be forfeited, ſhall order, and cauſe ſuch cloth to be cut and ſevered into three or more equal parts croſs ways, before the ſame ſhall be delivered to the informer or proſecutor. Forfeited cloth to be cut.

CXXI. *ſect.* 111. If any action or ſuit ſhall be commenced or brought againſt any perſon for doing, or cauſing to be done, any thing in purſuance hereof, the defendants may plead the general iſſue, and give the ſpecial matter in evidence; and if upon ſuch action, or in ſuch ſuit, judgment ſhall be given for the defendants, or the plaintiffs therein ſhall become non-ſuit, or diſcontinue their action or ſuit, the defendants therein ſhall have treble coſts. General iſſue.

CXXII. *ſect.* 112. Provided, that nothing herein contained ſhall extend to charge any perſons with any penalty, forfeiture, or puniſhment, for any offence againſt this act, unleſs they ſo offending ſhall be complained of, or informed againſt, to the perſons hereby impowered to determine ſuch offences, within ſix months after ſuch offence ſhall be committed. Complaints in ſix months.

CXXIII. *ſect.* 113. If any complaint or information ſhall be made or given againſt any weaver, manufacturer, or ſeal-maſter, for any offence againſt this act, it ſhall be lawful for the perſons herein before impowered to determine ſuch offence, in caſe it ſhall appear to them that ſuch complaint or information was ill founded, and without juſt cauſe, to adjudge the perſons making or giving ſuch complaint or information, to pay to the perſons ſo complained of, or informed againſt, any ſum not leſs than two ſhillings, nor exceeding ten ſhillings, to be levied and recovered by ſuch means as are herein before directed, with regard to penalties, not exceeding ſix pounds in value. Coſts for ill founded complaints.

CXXIV. *ſect.* 114. It ſhall be lawful for the perſons hereby impowered to hear and determine offences againſt this act, by writing under their hands, to ſummon and order the apprentice, ſervant, or journeyman of any reed-maker, weaver, or manufacturer of linen or hempen cloth, bleacher, or draper, or flax-ſeed merchant, or any other perſons to appear before them, and upon their appearance to examine them upon oath, as to their knowledge concerning any offence againſt any part of this act. Summoning apprentices, ſervants, &c.

CXXV. *ſect.* 115. In caſe ſuch apprentice, ſervant, journeyman, or other perſon, being ſummoned, ſhall wilfully refuſe to appear purſuant to ſuch ſummons, or appearing ſhall refuſe to be examined upon oath to the purpoſe aforeſaid, it ſhall Refuſing to appear.

and may be lawful for ſuch perſons, impowered as aforeſaid, to commit ſuch apprentice, ſervant, journeyman, or other perſon, to the houſe of correction, or next gaol, there to be kept for the ſpace of thirty days, unleſs they ſhall ſooner ſubmit to be examined as aforeſaid.

Diſcovery on examination.

CXXVI. *ſect.* 116. Provided that ſuch perſon as ſhall be ſo examined ſhall not be liable to any penalty, forfeiture or puniſhment, relating to the offence which he or ſhe ſhall on ſuch examination diſcover.

Stealing linen &c.

CXXVII. *ſect.* 117. No felon convicted according to the courſe of the law and ſtatutes of this kingdom of ſtealing of linen, hempen, or cotton yarn, or linen or hempen cloth, or cloth made of linen and cotton yarn, or any materials or utenſils uſed in bleaching the ſame, above the value of five ſhillings, from any bleach-yard, buck-houſe, or work-houſe thereunto belonging, whether the fact be committed by day or night, ſhall not be allowed the benefit of clergy.

Reſcue of ſeizures

CXXVIII. *ſect.* 118. If any perſons ſhall reſcue, or take by force, any hemp-ſeed, flax-ſeed, flax, hemp, twine, ropes, cordage, thread, boſs, tapes, chatts, inkles, filletting, brades, ferretting, ſhoe-lace, points, bobbin, linen-yarn, hempen-yarn, weaving-reed, linen-cloth, or hempen-cloth, out of the cuſtody or poſſeſſion of any perſons, who ſhall have ſeized the ſame, for being managed, uſed, or made, contrary to the directions aforeſaid, every ſuch perſon, ſo reſcuing or taking by force, ſhall forfeit forty ſhillings, and alſo the full value of the goods ſo reſcued and taken as aforeſaid.

Orders of truſtees under former acts.

CXXIX. *ſect.* 119. The appointments of all ſuch officers, factors, ſervants, packers, ſeal-maſters, and lappers, and all ſuch rules, orders, and directions, as have been already made by the ſaid truſtees, purſuant to the powers veſted in them by the former acts, or ſome of them, ſhall be as valid and of as much force and effect to all intents and purpoſes, as if ſuch appointment, rules, orders, and directions, were made by the ſaid truſtees, purſuant to the powers by this act veſted in them; and all ſuch contracts as have been already entered into by the ſaid truſtees, or by any perſons by their order, and on their behalf, purſuant to the powers veſted in them by any act of parliament now in force, ſhall have the ſame force and effect, as if this act had never been made.

Suits in the name of the clerk.

CXXX. *ſect.* 120. It ſhall be lawful for the ſaid truſtees, in the name of their clerk for the time being, to ſue for in a ſummary way by civil bill, and recover againſt every packer, ſeal-maſter, or lapper reſpectively, and their reſpective ſecurities, all ſuch ſums of money as have been impoſed ſince the firſt day of May 1755, or ſhall be hereafter impoſed by the ſaid truſtees, by way of fine or penalty, on ſuch packer, ſeal-maſter, or lapper.

Search for cloth, &c.

CXXXI. *ſect.* 121. It ſhall be lawful for the ſaid truſtees, or any five of them, by writing under their hands and ſeals, to authorize any perſons, from the hours of ten of the clock in the morning to five in the afternoon, to enter into the ſeveral apartments of the ſaid linen-hall and yarn-hall, and into all other ſhops, ſtalls, and places wherein any linen yarn, not linen-cloth, ſhall be ſold or expoſed to ſale, within the city of Dublin, or within the liberties of Saint Sepulcher's, Thomas Court, and Donore, and to ſeize all green or unbleached linen yarn, and all plain linen cloth, which ſhall be there ſold or expoſed to ſale contrary to the directions of this act, and to carry the ſame before ſaid truſtees, or any three of them, who are hereby required to examine into all offences committed in ſuch linen yarn or linen cloth, againſt this act, and to adjudge ſuch forfeitures, and inflict and levy ſuch penalties, as are by this act directed for every ſuch offence.

CXXXII. *ſect.*

CXXXII. *ſect.* 122. If any perſon ſhall ſuſtain any loſs or damage in the buying any piece of brown or unbleached linen or hempen cloth, by any damaged part being concealed in the folds thereof, or by its not anſwering the meaſure as to the length or breadth marked thereon by *the* ſeal-maſter, it ſhall be lawful for ſuch perſon to ſue for and recover from the ſeal-maſter of ſuch piece, or the perſons who ſhall at the time of ſuch ſealing be bound as ſecurity for his faithful diſcharge of the office of ſeal-maſter, or from the manufacturer or weaver of ſuch piece, in caſe ſuch piece ſhall not before then have been bought by any perſon, and in caſe the ſame ſhall have been before bought, then from the buyer of ſuch piece, the full value of the loſs or damage ſo ſuſtained, and alſo any ſum not leſs than five ſhillings, nor exceeding forty ſhillings, to be determined by the perſons by this act impowered to determine ſuch offences. Damages to be recovered for frauds.

CXXXIII. *ſect.* 123. If any perſon ſhall ſuſtain any loſs or damage, by means of any fraud in the lapping any piece of linen or hempen cloth, or by any damaged part being concealed in the folds thereof, or by its being rotten or unmercantable, or by its not anſwering the meaſure as to the length or breadth marked thereon by *the* lapper, it ſhall be lawful for ſuch perſon to ſue either the lapper of ſuch piece, or the perſons who ſhall at the time of lapping and ſealing the ſame be bound as ſecurity for his faithful diſcharge of the office of lapper, or the perſons whoſe names ſhall be marked thereon, as the drapers, and recover from ſuch lapper or his ſecurities, or ſuch draper, the full value of the loſs or damage ſo ſuſtained, and alſo the ſum of twenty ſhillings, in caſe ſuch loſs or damage ſhall not exceed five ſhillings; and in caſe ſuch loſs or damage ſhall exceed five ſhillings, then the ſum of five pounds for every ſuch piece, the ſame to be recovered, if not exceeding twenty pounds, by civil bill, and if upwards of twenty pounds, then the ſame to be recovered in any of his Majeſty's courts of record in Dublin. Securities of lappers, &c. liable to damages.

CXXXIV. *ſect.* 124. Provided, that if the ſaid truſtees ſhall have fined ſuch ſeal maſter or his ſecurity, or ſuch lapper or his ſecurity, for ſuch offence, and receive the fine or penalty impoſed by them for ſuch offence, before ſuch ſuit commenced, that then ſuch ſeal-maſter or his ſecurity, manufacturer, weaver, or buyer reſpectively, or ſuch lapper or his ſecurity, or ſuch draper, ſhall not be ſued for ſuch damage or loſs as aforeſaid. No ſuit for damages after fine paid.

CXXXV. *ſect.* 126. In all complaints, informations, ſuits, civil bills, or actions, to be made or proſecuted againſt any packer, ſeal-maſter, or lapper, founded upon this act, a certificate of the clerk of the ſaid truſtees for the time being, under the hand and ſeal of ſuch clerk, ſhall be adjudged full and ſufficient evidence, that ſuch perſon is their clerk, and that the perſons therein, for that purpoſe named, were reſpectively and duly appointed packers, ſeal-maſters, or lappers, by the ſaid truſtees, and had acted as ſuch in the ſeveral matters in ſuch certificate contained, and that the perſons therein for that purpoſe mentioned were ſecurities for ſuch packers, ſeal-maſters, or lappers reſpectively; and that the fines or penalties, therein contained, were duly impoſed by the ſaid truſtees; and that the perſons in ſuch certificate mentioned as truſtees, were duly appointed truſtees. Certificate of the clerk evidence.

CXXXVI. *ſect.* 127. In all complaints, informations, ſuits, civil bills, or actions to be made or proſecuted againſt any reed-maker, weaver, manufacturer of linen or hempen cloth, ſeal-maſter, buyer, bleacher, lapper, or dreſſer, the name of the reed-maker, ſigned or marked on any reed, purſuant to the directions herein before contained, ſhall be full and ſufficient evidence, that ſuch reed was made by the perſon whoſe name is ſigned or marked thereon. Name marked evidence.

(2) And the name of the weaver or manufacturer ſigned or marked on any piece of linen or hempen cloth, ſhall be full and ſufficient evidence, that ſuch piece Weaver or manufacturer.

was woven or manufactured by the perſon whoſe name is ſigned or marked thereon.

Sealmaſter. (3) And the name of the ſeal-maſter ſigned or marked on any piece of linen or hempen cloth, ſhall be full and ſufficient evidence, that ſuch piece was ſealed by the perſon whoſe name is marked or ſigned thereon; and that the name of the buyer, wrote on any piece of linen or hempen cloth, ſhall be full and ſufficient evidence that ſuch piece was bought by him.

Bleacher and lapper. (4) And the names of the bleacher and lapper, ſigned or marked on any piece of linen or hempen cloth, ſhall be reſpectively full and ſufficient evidence, that ſuch piece was bleached and lapped by the perſons reſpectively, whoſe names are ſigned or marked thereon.

Draper. (5) And that the name of the draper, ſigned or marked on any piece of linen or hempen cloth, ſhall be full and ſufficient evidence that ſuch piece was bleached for, and was the property of the perſon whoſe name is ſigned or marked thereon as the draper.

Publick ware-houſes. CXXXVII. *ſect.* 128. After a convenient piece of ground in the ſhire or county town of any county, within the provinces of Leinſter, Munſter, and Connaught, ſhall be purchaſed, conveyed, or otherwiſe aſſured, with the approbation of the grand jury at the aſſiſes held for ſuch county, to any perſons or their heirs upon truſt, and to the intent that a publick ware-houſe or market-houſe ſhould be erected and built thereon, for the lodging in and expoſing to ſale any flaxen or hempen yarn, flax or hemp, flax-ſeed or hemp-ſeed, it ſhall be lawful for the grand jury of ſuch county where ſuch piece of ground ſhall be ſo purchaſed, or otherwiſe aſſured for the uſe aforeſaid, at the general aſſiſes to be held for ſuch county, to preſent any ſum, not exceeding in the whole three hundred pounds, to be levied in the ſame manner, as other publick money is raiſed and paid in ſuch county.

Erecting buildings. (2) And when ſuch money is ſo raiſed, the ſame to be applied in the erecting and building ſuch publick ware-houſe or market-houſe on ſuch piece of ground, for the ſeveral uſes and purpoſes aforeſaid.

Salary of officer. (3) And after ſuch ware-houſe or market-houſe ſhall be built and erected, it ſhall be lawful for the grand jury of the ſaid county, wherein ſuch ware-houſe or market-houſe ſhall be ſo erected, at the general aſſizes to be held for ſuch county, to preſent a ſum not exceeding fifteen pounds *per annum*, for the ſalary of an officer to attend ſuch ware-houſe or market-houſe.

CXXXVIII. *ſect.* 129. *And whereas the aſſizes for ſome countries within the provinces of Leinſter, Munſter, and Connaught, are held within the precincts or limits of counties of cities and counties of towns, in places appointed and particularly provided for that purpoſe, and excluded from being part of ſuch counties of cities and counties of towns, by reaſon whereof it may happen that no convenient ground can be purchaſed or otherwiſe obtained, for erecting and building ſuch ware-houſe or market-houſe, in the places where ſuch aſſiſes are held, ſo as to be within the ſame county; and in caſe ſuch diſputes may ariſe, what town ſhall be deemed and taken to be the ſhire or county town; to prevent therefore ſuch inconveniencies, and to obviate all ſuch differences:* the reſpective grand juries of ſuch counties, within the provinces of Leinſter, Munſter, and Connaught, where the aſſiſes are held within the precincts or limits of any county of a city or county of a town, if a convenient piece of ground can be obtained in ſuch county of a city or county of a town, by purchaſe or other aſſurance to the purpoſes aforeſaid, may preſent ſuch ſums of money as aforeſaid, for the building and erecting ſuch publick ware-houſe or market-houſe, for the ſaid purpoſes, and for the ſalary of the officer attending the ſame.

Grand juries in counties of cities.

(2) And

(2) And ſuch ware-houſe or market-houſe, when built, ſhall be eſteemed and taken to be the publick ware-houſe and market-houſe of the county erecting the ſame, in as full a manner as if ſuch ware-houſe or market-houſe was built in the ſhire-town, and ſhall from time to time, be repaired by ſuch county by preſentment of the grand jury, notwithſtanding ſuch ware-houſe or market-houſe lies in a different county. Ware-houſe of the county.

CXXXIX. *ſect.* 131. *Whereas by an act paſſed in this kingdom in the fourteenth and fifteenth years of King Charles the ſecond, for ſettling the ſubſidy of poundage, all Britiſh linen cloths imported into this kingdom, were ſubject to a further duty of ſix ſhillings for every hundred ells:* it ſhall be lawful for all merchants, and other perſons of Great-Britain, to import into this kingdom, all white and brown Britiſh linen cloth, made and manufactured in Great-Britain, free, and diſcharged from all other duties whatſoever, impoſed or ſet on the ſame by any acts in force in this kingdom, ſo long, and during ſuch time, as it ſhall be and continue lawful to export from this kingdom directly to the Britiſh plantations, all ſorts of white and brown linen cloths of the manufacture of this kingdom, on ſuch terms, conditions, and limitations, as in the act of the third and fourth years of Queen Anne are limited and appointed, and no longer. Britiſh linens diſcharged from duties.

CXL. *ſect.* 136. *In order to encourage the exportation of linen and hempen cloth, and to aſcertain and limit the fees payable thereon,* there ſhall be paid to the patentee officers, or any other officers of his Majeſty's cuſtoms or revenue, their clerks, or ſervants for fees, upon any pretence, or for any cauſe whatſoever, for any one entry of linen or hempen cloth of the manufacture of this kingdom, that ſhall be exported, or entered for exportation, containing leſs than fifty eight pieces, one penny and no more, and for any one entry containing fifty eight pieces or upwards, four ſhillings and ten pence and no more, nor more than ſix pence for any certificate of ſuch parcels. Fees for entries of linen.

CXLI. *ſect.* 137. And in caſe any officer ſhall demand or receive any greater fee than as aforeſaid, they being duly convicted thereof, upon indictment or information, ſhall immediately thereupon forfeit his employment, and be incapable ever afterwards of having any office or employment in the revenue of this kingdom. Forfeiture of employment.

CXLII. *ſect.* 138. Provided that information upon oath of ſuch offence ſhall be given to ſome juſtice of the peace, or chief magiſtrate within their reſpective juriſdictions within one month after ſuch offence ſhall be committed. Information in one month.

CXLIII. *ſect.* 139. *Whereas divers perſons to evade the paying of duty for foreign ſail-cloth brought into this kingdom, make the ſame up into ſails on board their ſhips, and frequently ſell the ſame to other ſhips in the ſame port; and often great quantities of ſuch foreign ſail-cloth are run, and immediately after to conceal the ſame, are made up into ſails: for remedy whereof,* all new ſails made of foreign ſail-cloth, found on board any ſhip or boat, except what are for the uſe of ſuch ſhip or boat, ſhall be liable to the ſame duty as if in pieces. Duty on new ſails.

(2) And if ſuch ſails ſhall be landed, or put on board any other ſhip or boat, without having firſt paid the duty, the ſame ſhall be forfeited, one moiety to his Majeſty, and the other to ſuch perſons as ſhall give information thereof to the commiſſioners, or ſub-commiſſioners of his Majeſty's revenue, who are hereby impowered to examine and condemn the ſame, in the ſame manner as is directed in the act of exciſe, with the like liberty of appeal as is therein mentioned. Forfeiture on landing, &c.

CXLIV. *Stat.* 5 *Geo.* 3. *cap.* 9. *ſect.* 2. *Whereas by an act paſſed in the third year of his Majeſty's reign,* for regulating the flaxen and hempen manufactures in this kingdom, Recital of the act 3 G. 3. c. 12.

dom, *it is amongſt other things enacted, that no piece of brown or unbleached linen cloth of the ſet of eight hundred, or upwards, ſhall be ſold, or expoſed to ſale within the province of Ulſter, which if thirty ſix, thirty ſeven, or thirty eight inches broad, ſhall contain any greater number of yards in length than twenty five yards, upon pain of forfeiting ſuch piece, and alſo the ſum of forty ſhillings, by the perſon ſelling or expoſing ſuch piece to ſale, or packing up, or entering the ſame for exportation: and whereas a doubt has ariſen upon the conſtruction of the ſaid act, whether if a piece of linen cloth, which exceeds twenty five yards in length, but does not meaſure twenty ſix yards in length compleat, ſhall be expoſed to ſale in any fair or market, the ſame ſhall be forfeited within the intention of the ſaid act of parliament*; it *is* enacted that no

Length of cloths. piece of linen cloth of the length of twenty five yards, which ſhall be expoſed to ſale, or ſold in any fair or market, ſhall, within the intention of the ſaid act be forfeited for improper meaſure in length, unleſs the ſaid piece ſhall meaſure twenty ſix yards compleat.

CXLV. *ſect.* 2. *And whereas diſputes frequently ariſe in fairs or markets between the buyer and ſeller of linen cloth and yarn, in reſpect to the price firſt agreed to be paid by the buyer of ſuch cloth or yarn, for the cloth or yarn bought or ſold in ſuch fair or market*; it *is* enacted, that in order to put an end to ſuch diſputes, it ſhall be lawful

Sellers of cloth and yarn. for the ſeller of any cloth, or yarn in any fair or market, if the buyer of ſuch cloth or yarn ſhall, without juſt cauſe, refuſe to pay them ſelling the ſame, the price firſt agreed upon between them, to complain immediately, or at any time within twenty four hours, to the next juſtice of the peace, truſtee of the linen manufacture, or chief magiſtrate, within their reſpective juriſdictions, which juſtice of the peace, truſtee of the linen manufacture, or chief magiſtrate within their reſpective juriſdictions, are hereby required forthwith to ſummons the parties before him.

Summons to the parties. (2) And if it ſhall appear to ſuch juſtice of the peace, truſtee of the linen manufacture, or chief magiſtrate within their reſpective juriſdictions, that the buyer of ſuch linen cloth or yarn, ſhall, without juſt and reaſonable cauſe, refuſe to pay the ſeller of ſuch cloth or yarn, the price firſt agreed upon between ſuch buyer and ſeller at ſuch fair or market, ſuch juſtice of the peace, truſtee of the linen manufacture, or chief magiſtrate within their reſpective juriſdictions, may, by warrant under his hand and ſeal, order ſuch cloth or yarn to be returned to the ſeller thereof.

Penalty on the buyer. (3) And may by ſuch warrant direct any penalty not exceeding ten ſhillings, to be levied off the goods and chattles of ſuch buyer of cloth or yarn, who ſhall without juſt cauſe refuſe to pay the price firſt agreed upon, the ſaid penalty to be paid to the perſon who had contracted to ſell the ſame, as a recompence for the loſs of time and ſale of their goods at ſuch fair or market.

Demiſes of land, &c. CXLVI. *ſect.* 3. It ſhall be lawful for every perſon ſeized in poſſeſſion, in law or equity, of any eſtate in fee-tail or for life, with immediate remainder over to, or in truſt for his iſſue, to demiſe any land out of his eſtate whereof he ſhall be ſo ſeized, being no part of the demeſne uſually occupied with his manſion-houſe, and not exceeding five acres plantation meaſure in the whole, for three lives renewable for ever, to any perſon who ſhall engage and contract to carry on ſome branch of the linen manufacture on the land ſo to be demiſed.

Improved rent, and fines. (2) Provided that the beſt and higheſt rent be reſerved for the land ſo to be demiſed, that can be reaſonably had for the ſame at the time of making ſuch demiſe without fine, and that one half years rent of the ſaid demiſed lands, be reſerved as a renewal fine on the fall of every life, to be paid within ſix months after the fall of

Covenant for building. ſuch life, and that the leſſees do covenant by ſuch leaſes, to erect on the land ſo to be demiſed, houſes or other buildings fit and well adapted for carrying on ſome branch of the linen manufacture, on the lands ſo to be demiſed, and do covenant to preſerve and keep the ſame in proper order and repair, and carry on, or cauſe to be carried

carried on ſome branch of the linen manufacture, on the ſaid land ſo demiſed, during the continuance of the ſaid demiſe.

CXLVII. And provided that ſuch houſes and buildings be erected and compleated within five years after the making ſuch demiſe, and that every leaſe that ſhall be made agreeable to the conditions and terms aforeſaid. Improvements in five years.

CXLVIII. And provided the leſſees ſhall duly perform the ſaid covenants for building, ſhall be good and valid, notwithſtanding any ſettlement reſtraining ſuch tenant for life, or in tail, from making ſuch leaſes. Performance of covenants.

CXLIX. *ſect.* 4. It ſhall be lawful for every perſon ſeized as aforeſaid, to make leaſes of any parts of the land whereof he ſhall be ſo ſeized, being no part of the demeſne uſually occupied with his manſion-houſe, and not exceeding fifteen acres plantation meaſure in any one ſuch leaſe for lives renewable for ever, or for any term of years for the purpoſe of making of a bleach-yard or bleach green thereon, and furniſhing conveniencies for the workmen and perſons to be imployed therein. Leaſes for bleach-yards.

CL. Provided that the beſt and higheſt rent be reſerved by every ſuch leaſe, for the land thereby demiſed, that can be reaſonably had for the ſame, at the time of making ſuch leaſe without fine. Rent to be reſerved.

CLI. And in caſe one third part of the land demiſed by any one ſuch leaſe, ſhall be formed into a bleach-yard, or bleach-green within three years after the making of ſuch leaſe, and a ſum of money not leſs than ten pounds for every acre demiſed by ſuch leaſe, ſhall be laid out within the ſaid three years in improvements, for the purpoſe only of carrying on the bleaching buſineſs on the ſame, then, and not otherwiſe, ſuch leaſe ſhall be good and effectual, notwithſtanding any ſettlement reſtraining ſuch tenant for life or in tail, from making ſuch leaſes. Three years for making improvements.

Linen-rags.

I. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 21. No duty whatſoever ſhall be paid to his Majeſty upon any linen rags that ſhall be imported into this kingdom. No duty on importing rags.

Loan.

I. *Stat.* 5 *Geo.* 3. *cap.* 2. *ſect.* 1. It *is* enacted that for the aggregate ſum of ſix hundred thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the twenty fifth day of December, 1765, there ſhall be paid at the receipt of his Majeſty's exchequer, by the hands of the vice-treaſurers or paymaſters general, or their deputies, at the end of every ſix kalendar months from the ſaid twenty fifth day of December, 1765, to the perſons who has or have paid or lent the ſaid ſum of ſix hundred thouſand pounds, or their executors, adminiſtrators, or aſſigns, an intereſt at the rate of four pounds *per cent.* to commence from the twenty fifth day of December, 1765, without any fee or charge, and free from all deductions, and abatements whatſoever, until ſuch time as they ſhall be reſpectively paid their principal money at one intire payment. Intereſt at four *per cent.*

II. *ſect.* 2. Every perſon intitled to any part of the ſaid ſum of ſix hundred thouſand pounds, which now carries an intereſt at the rate of five pounds *per cent.* ſhall deliver or cauſe to be delivered to the vice-treaſurers, or their deputies, all ſuch receipts and debentures whereby ſuch perſons reſpectively are intitled to any part of the ſaid ſum of ſix hundred thouſand pounds, now carrying an intereſt at the rate of five pounds *per cent.* as aforeſaid; which debentures, and receipts, the ſaid vice-treaſurers, or their deputies, are hereby required to receive and cancel, and to make out and deliver new debentures or receipts to ſuch perſons reſpectively, their executors, adminiſtrators and aſſigns, who ſhall deliver ſuch former debentures or receipts, Debentures at five *per cent.* New debentures to be made out.

for the ſums contained in ſuch former debentures or receipts, with intereſt for the ſame, according to the rate of four pounds *per cent.* and that the ſaid debentures or receipts to be delivered out (in lieu of thoſe which are to be cancelled as aforeſaid) together with the debentures, or receipts, which ſhall be iſſued for ſuch ſums of money, not exceeding one hundred thouſand pounds, as ſhall be advanced and lent for the purpoſes herein after mentioned, purſuant to this act, ſhall as to ſuch of the ſaid debentures or receipts as ſhall be iſſued for one hundred pounds each, be numbered in arithmetical progreſſion where the common exceſs or difference is to be one, beginning with the number next after the laſt number of the receipts or debentures for one hundred pounds each, now ſtanding out at the rate of four pounds *per cent.* and as to ſuch debentures or receipts as ſhall be iſſued for fifty pounds each, the ſame ſhall be numbered in like arithmetical progreſſion, beginning with the number next after the laſt number of the debentures or receipts for fifty pounds each, now ſtanding out at the rate of four pounds *per cent.* until the whole ſhall be numbered in manner as aforeſaid.

Numbered arithmetically.

Payment of five *per cent.* debentures.

III. *ſect.* 3. If any perſons who ſhall be intitled to any part of the ſaid ſum of ſix hundred thouſand pounds, now carrying an intereſt at the rate of five pounds *per cent.* which ſhall remain unpaid on the ſaid twenty fifth day of December, 1765, ſhall not be willing to continue their ſaid principal ſums at the intereſt of four pounds *per cent.* as aforeſaid; then and in that caſe the perſons, their executors, adminiſtrators or aſſigns, who ſhall not be willing to continue their ſaid principal ſums at the rate of four pounds *per cent.* ſhall upon application to the vice-treaſurers, or their deputies, at any time before the firſt day of February, 1766, and upon the aſſignment of their unſatisfied debentures or receipts to the vice-treaſurers, or their deputies, be paid the principal ſums due to them reſpectively, on the ſaid twenty fifth day of December, 1765, and all intereſt due thereon at the time of ſuch payment, and the ſaid vice-treaſurers, or their deputies, ſhall aſſign ſuch receipts or debentures to ſuch perſons who ſhall advance the principal money, and the intereſt due on account thereof at the time of ſuch aſſignment; which receipt or debenture ſo to be aſſigned ſhall intitle the aſſignee thereof to the principal money due thereon, and to all intereſt due for the ſame from the ſaid twenty fifth day of December, 1765, according to the rate of four pounds *per cent.*

Aſſignment to lenders.

Further loan of 100,000 pounds.

IV. *ſect.* 4. *And whereas it may be neceſſary that further ſums of money ſhould be borrowed to ſupply ſuch deficiences as may ariſe in the aids granted this ſeſſion of parliament for the ſupport of his Majeſty's government, and for payment of the ſeveral ſums granted this ſeſſion for carrying on publick works in this kingdom*; it *is* further enacted, that for all ſuch further ſums of money, not exceeding in the whole one hundred thouſands pounds, as ſhall be actually paid by any perſons into *his* Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governors of this kingdom for the time being, to ſupply ſuch deficiencies as may ariſe in the aids granted this ſeſſion of parliament for the ſupport of *his* Majeſty's government, and for payment of the ſeveral ſums granted in this ſeſſion for carrying on publick works in this kingdom, there ſhall be paid at the receipt of *his* Majeſty's exchequer, by the hands of the vice-treaſurer or paymaſter general, or their deputies, at the end of every ſix kalendar months, to be computed from the reſpective times of ſuch payments to the perſons ſo paying the ſame, their executors, adminiſtrators, or aſſigns, an intereſt according to the rate of four pounds *per cent.* without any fee or charge, and free from all deductions, until ſuch time as they ſhall be reſpectively paid their principal money at one intire payment.

Debentures for the new loan.

V. *ſect.* 5. Like debentures or receipts bearing intereſt at the rate of four pounds *per cent.* ſhall be given by the officers of *his* Majeſty's treaſury for all ſums of money

to

to be paid into the receipt of *his* Majeſty's exchequer, on account of the ſaid intended loan, not exceeding the ſum of one hundred thouſand pounds, which ſhall be numbered in ſuch arithmetical progreſſion as aforeſaid.

Aſſignment of debentures.

VI. *ſect.* 6. All perſons to whom debentures or receipts have been given for any part of the ſaid ſum of ſix hundred thouſand pounds, now carrying an intereſt at the rate of four *per cent.* and all perſons to whom debentures or receipts ſhall be given purſuant to this act, their executors, adminiſtrators or aſſigns, may by indorſements on ſuch debentures or receipts, transfer the ſum due on ſuch debentures or receipts, which indorſements, upon notice to the vice-treaſurer, or their deputies, and an entry or memorial thereof made in the ſaid vice-treaſurers office, which the ſaid vice-treaſurer, or their deputies, ſhall, upon requeſt without charge, fee or reward make accordingly, and ſhall on requeſt permit the ſame to be viewed at the uſual office hours without fee or reward, ſhall intitle the indorſee or aſſignee, his or her executors, adminiſtrators, and aſſigns, to the ſole benefit of the ſum ſo transferred or aſſigned, and the ſaid debenture or receipt may in like manner be aſſigned or transferred by ſuch aſſignee, his or her executors, adminiſtrators or aſſigns, and ſo *toties quoties*, and that after ſuch aſſignment it ſhall not be in the power of the perſons who made ſuch aſſignment, to make void, releaſe, or diſcharge the ſaid aſſignment, or to diſcharge, or receive the ſum thereby transferred or aſſigned, or any part thereof.

Memorials of aſſignments.

New additional duties.

VII. *ſect.* 7. *And to the end and intent that the intereſt of the ſaid ſum of ſix hundred thouſand pounds, or ſo much thereof as ſhall remain unpaid, on the ſaid twenty fifth day of December,* 1765*: and alſo the intereſt of the ſaid ſum, not exceeding the ſum of one hundred thouſand pounds, or ſo much thereof as ſhall be raiſed in purſuance of this act, may be duly and regularly paid half yearly, according to the rate of intereſt herein before mentioned, and according to the true intent and meaning of this act*; there ſhall be raiſed and paid to *his* Majeſty, until the twenty fifth day of December, 1767 inclusive, and no longer, the ſeveral further new additional rates and duties hereinafter mentioned.

Diſcharge of intereſt.

VIII. *ſect.* 23. The ſeveral duties and aids hereby granted unto *his* Majeſty, ſhall in the firſt place be applied and paid by the vice-treaſurers, or their deputies, to the diſcharge of the intereſt of the ſaid ſum of ſix hundred thouſand pounds, or ſuch part thereof as ſhall remain unpaid on the ſaid twenty fifth day of December, in the year of our Lord, one thouſand ſeven hundred and ſixty five, and alſo to the diſcharge of the intereſt of ſuch ſums not exceeding the ſum of one hundred thouſand pounds, as ſhall be borrowed in purſuance of this act, in the manner and at the reſpective times, and according to the rate of intereſt herein before appointed for that purpoſe, and all the ſurplus or exceeding of the ſaid aids and duties hereby granted, over and above what ſhall be ſufficient to diſcharge the intereſt of the ſaid ſum of ſix hundred thouſand pounds, or ſo much thereof as ſhall remain due on the twenty fifth day of December, 1765, and over and above what ſhall be ſufficient to pay the intereſt of what ſhall be borrowed in purſuance of this act, ſhall in the firſt place be applied towards the diſcharge of the ſaid aggregate ſum of ſix hundred thouſand pounds, or ſo much thereof as ſhall remain unpaid on the twenty fifth day of December, 1765; and alſo towards the payment of ſuch ſums of money, not exceeding in the whole the ſum of one hundred thouſand pounds, as ſhall be actually paid into *his* Majeſty's treaſury at the inſtance of his excellency the lord lieutenant, or other chief governors of this kingdom for the time being, to ſupply ſuch deficiences as may ariſe in the aids granted this ſeſſion of parliament, for the ſupport of *his* Majeſty's civil and military eſtabliſhments, and other neceſſary expences of government; and for the payment of the ſeveral ſums granted in this ſeſſion of parliament for carrying on publick works in this kingdom.

Surplus of the duties.

Drawing of debentures.

IX. *ſect.* 24. From and after the payment of the intereſt of the ſaid ſeveral and reſpective ſums before mentioned, and as often as any ſurplus, or exceeding of the aids and duties hereby granted, ſhall be received by the vice-treaſurers, or their deputies, and that ſuch ſurplus or exceeding ſhall amount to the ſum of five thouſand pounds, then the vice-treaſurers, or their deputies, ſhall cauſe the numbers of ſuch receipts or debentures amounting to the ſaid aggregate ſum of ſix hundred thouſand pounds, or ſo much thereof as ſhall remain unpaid on the ſaid twenty fifth day of December, 1765, which, purſuant to this preſent act, is to bear an intereſt at the rate of four pounds *per cent. per ann.* and the ſums therein contained, to be written on ſeveral tickets or pieces of parchment, and to be rolled and ſewed up and put into a box or urn, and well mixed together, and an indifferent perſon ſhall publickly, between the hours of ten and twelve in the forenoon of a day to be by the ſaid vice-treaſurers, or their deputy, publickly advertiſed in the Dublin Gazette for that purpoſe, at leaſt twenty days before, at the office of the vice-treaſurers in the caſtle of Dublin, draw out of ſuch box or urn, as many of the ſaid tickets or pieces of parchment, as the ſums therein contained ſhall amount to the ſaid ſum of five thouſand pounds.

Notice in the Gazette.

Payments within twenty days.

X. *ſect.* 25. And the perſons, the numbers of whoſe debentures or receipts ſhall be ſo drawn, their executors, adminiſtrators or aſſigns, ſhall within twenty days after the ſaid tickets or pieces of parchment ſhall be drawn, be paid by the vice-treaſurers, or their deputies, the principal ſums to them reſpectively due, with intereſt for the ſame, at the rate of four pounds *per cent. per ann.* till paid, and ſhall upon payment thereof, deliver their reſpective debentures or receipts to the ſaid vice-treaſurers, or their deputies, to be cancelled, which they are hereby required to cancel accordingly, and the intereſt payable by virtue of ſuch debentures or receipts, ſhall ceaſe from the expiration of twenty days, to be accounted from the day of drawing the ſaid tickets or pieces of parchment.

Intereſt to ceaſe.

XI. *ſect.* 26. If any part of the ſaid aggregate ſum of ſix hundred thouſand pounds hereby provided for ſhall be due and unpaid on the ſaid twenty fifth day of December, 1767, the ſame ſhall be well and truly paid unto the ſeveral and reſpective perſons, their executors, adminiſtrators, and aſſigns reſpectively, to whom the ſame ſhall be then due, together with ſuch intereſt for the ſame as ſhall be then due, at the rate aforeſaid, without any deduction or abatement whatſoever.

Payment without any deduction.

Lord-juſtice.

Election upon avoidance.

Stat. 33 *Hen.* 8. *ſeſſ.* 2. *cap.* 2. Immediately upon the avoidance of every the King's lieutenants, deputy, or juſtice of this realm, by death, ſurrender of their letters patent or office, departure out of this realm, or for any other cauſe, the chancellor, or keeper of *the* great ſeal, ſhall, by the King's writs, call together at ſuch place as the ſaid chancellor, or keeper of *the* great ſeal ſhall think convenient, the King's counſellors being or dwelling in the ſhires of Dublin, Meath, Louth, Kildare, Kilkenny, Tipperary, Wexford, Waterford, Cork, Kerry, and Limerick, which ſo aſſembled, ſhall have authority to elect one born within the realm of England being no ſpiritual perſon, to be juſtice and governor of Ireland during the King's pleaſure, if there ſhall be at that time any ſuch perſon within this realm, that ſhall be meet for the office.

Two perſons to be juſtices.

(2) And if there be no ſuch perſon then within this realm, then they to elect two perſons of the ſaid council of Engliſh blood and ſirname, being no ſpiritual perſons, whom they ſhall think meet to be juſtice and governor of Ireland during the King's pleaſure, upon which election by the more part of them made as is aforeſaid, the

the chancellor, or keeper of the great ſeal, ſhall according to the ancient uſage, make letters patent to the perſon or perſons ſo elected under the great ſeal of Ireland, for the room of juſtice of Ireland.

(3) Which perſon or perſons being ſo elected, after he or they be ſolemnly ſworn according to the ancient uſage in this realm, ſhall have like authority and dignity as the King's lieutenant or deputy there next before him had to exerciſe the ſaid office of juſtice or governor, with the ſaid authority, unto ſuch time as the King do authorize one to be his lieutenant, juſtice, deputy, or governor of this realm, and unto ſuch time as the ſaid lieutenant, juſtice, deputy, or governor ſo authorized, do take and receive his oath as hath been afore accuſtomed, or the King's further pleaſure therein *be* known by writing. To be ſworn as by ancient uſage.

(4) And all other eſtatutes, preſcriptions, and uſages of the election of juſtice or governor of Ireland, after any ſuch avoidance, other than by the King's letters patent *ſhall* be void. Other elections void.

Lotteries.

I. *Stat.* 6 *Ann. cap.* 17. *ſect.* 1. All public lotteries and gaming tables, and all other lotteries and gaming-tables, that ſhall be kept in any public houſes in any place, other than the Groom-porter's table to be kept within the walls of her Majeſty's caſtle of Dublin, or other houſe in which the chief governor ſhall reſide, during the time ſuch chief governors ſhall actually reſide therein and no longer, ſhall be deemed public nuſances; and all grants, patents, and licences, for ſuch lotteries and gaming-tables are void and againſt law, and ſhall be ſo adjudged. Publick nuſances.

II. *ſect.* 2. No perſon ſhall publickly exerciſe, keep open, ſhew, or expoſe to be played at, drawn at, or thrown at, or ſhall publickly draw, play, or throw at, any lottery or game of fortune, either with dice, lots, cards, balls, or any other numbers or figures. Playing with cards, dice, &c.

(2) And no perſon ſhall publickly exerciſe, keep open, ſhew or expoſe, any gaming-table, device or place, where any perſons ſhall play at dice or cards for money or goods, or ſhall bet or lay any wagers on the ſides or hands of ſuch who play only for paſtime. Gaming tables.

(3) Every perſon *who ſhall ſo offend*, ſhall forfeit ſuch ſum of money for every ſuch offence, as any two juſtices of the peace or chief magiſtrate of any city or town corporate where the offence ſhall be committed, ſhall adjudge reaſonable upon proof of the matter before him, upon the oaths of two credible witneſſes, ſo as ſuch ſum for any ſuch offence doth not exceed forty ſhillings. Penalty.

(4) Which juſtices of the peace or chief magiſtrate is required to ſummon the party complained of, and to hear and determine ſuch offences, and by warrant to cauſe the ſaid money to be levied by diſtreſs and ſale of the goods of the perſons ſo offending, a moiety of the ſaid penalty to be to the uſe of the party who ſhall inform, and the other moiety to the uſe of the poor of the pariſh where ſuch offence ſhall be committed. Warrant of diſtreſs.

(5) And if no ſufficient diſtreſs can be found, the parties offending ſhall by order of the ſaid juſtices or chief magiſtrate be publickly whipt on ſome market day, in the open market of the ſaid city, town-corporate, or next chief town of the county where the offence ſhall be committed. Whipping.

III. *ſect.* 3. Provided that every information concerning offences mentioned in this act, be within ten days after the offence committed, and the proſecution and warrant for levying ſuch penalties as aforeſaid be had thereon, within one month after ſuch warrant had. *Eng. Stat.* 10 & 11 *Will.* 3. *cap.* 17. Information in a month.

IV. *Stat.*

Publick nuſances

IV. *Stat.* 11 *Ann. cap.* 6. *ſect.* 1. All lotteries ſhall be deemed public nuſances, and no perſon ſhall publickly or privately exerciſe, keep open, ſhew, or expoſe to be played at, drawn at, or thrown at, or ſhew, draw, play, or throw at, any ſuch lottery, or any other lottery, either by dice, lots, cards, balls, or any other numbers or figures, or any other way whatſoever.

One hundred pounds penalty.

V. *ſect.* 2. Every perſon that ſhall exerciſe, expoſe, open, or ſhew to be played, thrown or drawn at, any ſuch lottery, play, or device, or other lottery, ſhall forfeit for every ſuch offence one hundred pounds, to be recovered by information or action at law in any of *the* four courts at Dublin, wherein no eſſoign, &c. ſhall be allowed, one third part thereof to the uſe of her Majeſty, one other third part thereof to the uſe of the poor of the pariſh where ſuch offence ſhall be committed, and the other third part thereof, together with double coſts, to the party that ſhall inform and ſue for the ſame, and the parties ſo offending, ſhall likewiſe be proſecuted as common cheats, according to the ſtatutes in that caſe provided.

Perſons playing or drawing.

VI. *ſect.* 3. Every perſon that ſhall play, throw, or draw at, any lottery, play, or device, ſhall forfeit for every ſuch offence ten pounds, to be recovered by information or action in any of *the* four courts at Dublin, one third part thereof to the uſe of her Majeſty, one other third part thereof to the uſe of the poor of the pariſh where ſuch offence ſhall be committed, and the other third part thereof, with double coſts, to the party that ſhall inform and ſue for the ſame.

One proſecution only.

VII. *ſect.* 4. Provided that no perſon who ſhall be proſecuted by virtue of this act for any the offences herein mentioned, ſhall be proſecuted for the ſame by virtue of any other act. *Brit. Stat.* 9 *Ann. cap.* 6. *ſect.* 56.

Setting up offices

VIII. *Stat.* 13 *Geo.* 2. *cap.* 8. *ſect.* 1. If any perſon ſhall ſet up or keep any office or place under the denomination of ſales of houſes, land, advowſons, preſentations to livings, plate, jewels, ſhips, goods, or other things, by way of lottery, or by lots, tickets, numbers or figures, cards or dice, or any other device determining chances, or ſhall make, print, advertiſe or publiſh propoſals or ſchemes for advancing ſmall ſums of money by ſeveral perſons, amounting in the whole to large ſums, to be divided among them by chances of the prizes, either in ſome public lottery allowed by act of parliament in Great Britain or Ireland, or in any foreign lottery, or ſhall deliver out tickets to the perſons advancing ſuch ſums, to intitle them to a ſhare of the money ſo advanced, or ſhall expoſe to ſale any houſes, lands, advowſons, preſentations to livings, plate, jewels, ſhips, or other goods, by any game or device depending upon or to be determined by any lot or drawing, whether it be out of a box or wheel, or by cards or dice, or by any machine, engine, or device of chance of any kind, ſuch perſons and every of them, ſhall upon being convicted thereof before any juſtice of the peace, or before the chief migiſtrate or other juſtice of the peace for any city or town-corporate, upon the oath of one credible witneſs, or upon the view of ſuch juſtice or chief magiſtrate, or on the confeſſion of the parties accuſed, forfeit one hundred pounds, to be levied by diſtreſs and ſale of the offenders goods, by warrant of one juſtice of ſuch county, city or town, where the offence ſhall be committed, which forfeitures, after deducting the reaſonable charges of ſuch proſecution, ſhall be applied, one third to the informer, and the remaining two thirds to the Incorporated Society, for promoting Engliſh proteſtant ſchools for the uſe of ſuch of the charter-ſchools as they ſhall think fit.

one hundred pounds penalty.

Games of chance

IX. *ſect.* 2. All games and lotteries to be determined by the chance of cards and dice, under the denomination of the games of the ace of hearts, pharaoh, baſſet, hazard, or paſſage, are games or lotteries by cards or dice within the intent of the acts 10 *Will.* 3. *cap.* 11. 6 *Ann. cap.* 17. and 11 *Ann. cap.* 6. and all perſons who ſhall ſet up or keep the ſaid games, ſhall be liable to all the penalties and forfeitures by

by this act inflicted upon perſons who ſhall ſet up or keep any of the games or lotteries in this act mentioned, and ſhall be proſecuted and convicted, and the penalties ſhall be ſued for and recovered in like manner as by this act directed.

X. *ſect.* 3. All perſons who ſhall be adventurers in any of the ſaid games, lotteries, or ſales, or ſhall play, ſet at ſtake, or punt at either of the ſaid games of the ace of hearts, pharaoh, baſſet, hazard, and paſſage, or ſhall act contrary to the intent of the ſaid acts, or this preſent act, and ſhall be thereof convicted as by this act is preſcribed, ſhall forfeit thirty pounds, to be ſued for, recovered, and applied as aforeſaid. Adventurers.

XI. *ſect.* 4. All ſuch ſales of houſes, lands, advowſons, preſentations to livings, plate, jewels, ſhips, goods, or other things, by any game, lottery, machine, engine, or other device depending upon or to be determined by chance or lot, ſhall be void, and all ſuch houſes, &c. or other things ſet up and expoſed to ſale in manner aforeſaid, ſhall be forfeited to ſuch perſons who ſhall ſue for the ſame by action, &c. in any court of record, or at the aſſizes for any county where the offence ſhall be committed, in which no eſſoign, &c. ſhall be allowed. Things ſet up forfeited.

XII. *ſect.* 5. If any perſons ſhall think themſelves aggrieved by the determination of any juſtice or chief magiſtrate upon any conviction for any of the offences in this act, or the before recited acts, ſuch perſons may appeal to the next general quarter-ſeſſions of the peace for the county or place where ſuch perſons were convicted, but the perſons ſo appealing ſhall give reaſonable notice to the proſecutors of ſuch their intention of bringing ſuch appeal, and ſhall enter into a recognizance before ſome juſtice for the county or place wherein the conviction was made, with two ſufficient ſureties, on condition to try ſuch appeal at the next quarter-ſeſſion; and every ſuch appeal ſhall by the court at the ſaid next general quarter-ſeſſions to which ſuch appeals are made, be finally determined, and not afterwards, and in caſe ſuch judgment or conviction ſhall be affirmed, the party appealing ſhall pay unto the proſecutors treble coſts. Appeal to the ſeſſions.

XIII. *ſect.* 6. No ſuch conviction made, or judgment given as aforeſaid by this act, ſhall be ſet aſide by the court of quarter-ſeſſions for want of form, in caſe the facts alledged in the ſaid conviction ſhall be proved to the ſatisfaction of the ſaid court. Want of form.

(2) Nor ſhall ſuch conviction or judgment be removeable by *certiorari*, or any other writ or proceſs into any court of record at Dublin, until ſuch order or other proceedings ſhall have been firſt removed to, and judgment given thereupon by ſuch court of quarter-ſeſſions. No *certiorari*.

XIV. *ſect.* 7. No writ of *certiorari* or other proceſs ſhall iſſue to remove the record of any ſuch conviction from the quarter-ſeſſions, or to remove any order or other proceedings made by the ſaid court concerning ſuch conviction into any court of record at Dublin, until the parties againſt whom ſuch conviction ſhall be made, before the allowance of ſuch writ of *certiorari* or other proceſs, ſhall find two ſufficient ſureties to become bound to the proſecutor in one hundred pounds, with condition to proſecute the ſame with effect within ſix calendar months, and to pay unto the proſecutors treble coſts in caſe ſuch order ſhall be affirmed. Removing the record.

XV. *ſect.* 8. If any perſons who ſhall be convicted of erecting, ſetting up, maintaining, or keeping any lotteries, or the ſaid games herein before ſet forth, or therein ſhall adventure, and ſhall not have ſufficient goods whereon to levy the penalties inflicted by this act, or ſhall not immediately pay the ſaid penalties, or give ſecurity for the ſame, it ſhall be lawful for the juſtices before whom ſuch perſon ſhall be convicted as aforeſaid, to commit ſuch perſons to the common gaol of the county or place where ſuch offence ſhall be committed, for any time not exceeding ſix months. Committal of offenders.

XVI. *ſect.*

Neglect of magiſtrates.

XVI. *ſect.* 9. If any juſtice of the peace or chief magiſtrate ſhall neglect to do what is required of them by this act, ſuch juſtices and chief magiſtrates ſhall reſpectively forfeit ten pounds for each offence, one moiety whereof to be paid to any perſon who ſhall ſue for the ſame, and the other moiety thereof to the Incorporated Society for promoting Engliſh proteſtant ſchools, for the uſe of ſuch of the ſaid charter ſchools, as they ſhall think fit, and ſhall be recovered with full coſts of ſuit by action, &c. in any court of record, or at the aſſiſes, ſuch proſecution being commenced within ſix months, &c.

Caſtle of Dublin.

XVII. *ſect.* 10. Nothing in this act or in any former acts againſt gaming, ſhall extend to hinder any perſons from playing at any of the games in this or the ſaid former acts mentioned, within the precincts of *the* caſtle of Dublin, or other houſe in which the chief governors ſhall reſide during the time ſuch chief governors ſhall actually reſide therein, and no longer.

Partition by lots allowed.

XVIII. *ſect.* 11. Nothing herein contained ſhall extend to affect or prejudice any eſtate or intereſt in lands, advowſons, preſentations, rents, ſervices, and hereditaments whatſoever, which ſhall be according to the laws now in being, legally allotted to or held by any allotment or partition by lots, but that all perſons that are or ſhall become ſeized as part-owners, joint-tenants, and tenants in common of any lands, &c, ſhall take ſuch eſtates, intereſt and parts therein, as they could have done by any lot, ſcroll, chance, or allotment whatſoever, had this act never been made.

Proſecution in three months.

XIX. *ſect.* 14. No perſon ſhall be proſecuted for any offences againſt this act, unleſs they be proſecuted within three months after the offence committed.

General iſſue.

XX. *ſect.* 15. If any action ſhall be proſecuted for any thing done in purſuance of this act, ſuch action ſhall be commenced within three months after the fact, and ſhall be laid in the county or place where the cauſe of action ſhall ariſe, and the defendants may plead the general iſſue, &c. and if the plaintiffs ſhall become nonſuited, or diſcontinue their actions, or if upon demurrer judgment ſhall be given againſt the plaintiffs, the defendants ſhall recover treble coſts. *Brit. Stat.* 12 *Geo.* 2. *cap.* 28.

Maiming.

Maliee prepenſe.

I. *Eng. Stat.* 5 *Hen.* 4. *cap.* 5. Offenders who beat, wound, impriſon and maim, the King's liege people, and after purpoſely cut their tongues or put out their eyes, if it be proved, and found that ſuch deed was done of malice prepenſed, ſhall be adjudged felons.

Diſabling any limb or member.

II. *Stat.* 11 *Geo.* 2. *cap.* 8. *ſect.* 1. If any perſon on purpoſe and of malice forethought, and by lying in wait, ſhall unlawfully cut out or diſable the tongue, put out an eye, ſlit the noſe, cut off a noſe or lip, or cut off or diſable any limb or member of any ſubject of his Majeſty, with intention to kill or to maim or disfigure in any the manners before mentioned his Majeſty's ſubjects, the perſons ſo offending, their counſellors, aiders, and abettors, privy to the offence, ſhall be felons without benefit of clergy.

No corruption of blood, &c.

III. *ſect.* 2. No attainder of ſuch felony ſhall corrupt the blood, or forfeit the dower of the wife, or the lands or goods of the offender. (*Eng. Stat.* 22 & 23 *Car.* 2. *cap.* 1.)

Maintenance.

Officers maintain pleas.

I. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 25. No officer ſhall maintain pleas in the King's courts to have part or profit thereof by covenant, and he that doth ſhall be puniſhed at the King's pleaſure.

II. *ſect.*

II. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 28. None of the King's clerks, nor of any juſticer, ſhall receive the preſentment of any church, for which any plea is in the King's court, without licence of the King, upon pain to loſe the church and his ſervice. King's clerks.

(2) And no clerk of any juſticer or ſheriff ſhall take part in any quarrels depending in the King's court, nor ſhall work any fraud whereby common right may be delayed or diſturbed; and if any do, he ſhall be puuniſhed by the pain aforeſaid, or more grievouſly. Clerks taking part in quarrels.

III. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 36. Lords of courts, and other that keep courts, and ſtewards, ſhall not to grieve their inferiors, procure other to move matters againſt them, and to put in ſurety and other pledges, or to purchaſe writs, and at the ſuit of ſuch plaintiffs compel them to follow the county, hundred, wapentake, and other like courts, until they have made fine with them. Procuring others to move.

(2) And if any be attached upon ſuch falſe complaints, he ſhall replevy his diſtreſs, and cauſe the matter to be brought before the juſtices, before whom, if the ſheriff, bailiff, or other lord, will avow the diſtreſs lawful, by reaſon of ſuch complaints made unto them, and it be replied that ſuch plaints were moved maliciouſly againſt the party by the ſolicitation or procurement of the ſheriff, or other bailiffs or lords, the replication ſhall be admitted; and if they be convict hereupon, they ſhall make fine to the King, and reſtore treble damages. Attached on falſe complaints.

IV. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 49. The chancellor, treaſurer, juſtices, nor any of the King's council, nor clerk of the chancery, nor of the exchequer, nor of any juſtice or other officer, nor of any of the King's houſe, clerk or lay, ſhall not receive any church nor advowſon, land not tenement, in fee, by champerty nor otherwiſe, ſo long as the thing is in plea, nor ſhall take reward; and he that doth contrary ſhall be puniſhed at the King's pleaſure, as well he that purchaſeth as he that doth ſell. Receiving by champerty.

V. *Eng.* Artic ſuper chart. 28 *Edw.* 1. *cap.* 11. No officer nor other to have part of the thing in plea, ſhall take upon him buſineſs in ſuit. Nor none upon any ſuch covenant ſhall give up his right to another; and if any do, and be attainted thereof, the taker ſhall forfeit unto the King ſo much of his lands and goods as doth amount to the value of the part he hath purchaſed. And whoſoever will, ſhall be received to ſue for the King before the juſtices before whom the plea hangeth; but hereby no perſon ſhall be prohibited to have counſel of pleaders for his fee, or of his next friends. Part of the thing in plea.

VI. *Eng. Stat.* of champerty. 33 *Edw.* 1. *ſtat.* 3. No pleaders, apprentices, attornies, ſtewards of great men, bailiffs nor any other, ſhall take for maintenance, or the like bargain, any ſuit againſt other; and all ſuch as ſhall be attainted of ſuch bargains, and ſuch as conſent thereto, ſhall have impriſonment of three years, and ſhall make fine at the King's pleaſure. Conſpirators, inventors and maintainers of falſe quarrels, and partakers thereof, and brokers of debates, ſhall be attached, that they be before the King by this writ: Bargains of things in ſuit.

Rex vic. ſalutem. Præcipimus tibi, quod ſi A. *de* G. *fecerit te ſecurum de clamore ſuo proſequendo, tunc pone per vadium et ſalvos plegios* G. *de* C. *quod ſit coram nobis in octabis ſancti Johannis Bapiſtæ, ubicunque tunc fuerimus in Anglia, ad reſpondendum prædicto* A. *de placito conſpirationis & tranſgreſſionis ſecundum ordinationem noſtram nuper inde proviſam, ſicut idem* A. *rationabiliter monſtrare poterit, quod ei inde reſpondere debeat. Et habeas ibi nomina plegiorum et hoc breve. Teſte, &c.* Form of writ.

Maintaining quarrels.

VII. *Eng. Stat.* 1 *Edw.* 3. *ſtat.* 2. *cap.* 14. None of the King's counſellors, nor of his houſe, nor none of his miniſters, nor no great man of the realm, by ſending of letters, nor otherwiſe, nor none other, ſhall maintain quarrels nor parties in the country.

Inquiry into champerty.

VIII. *Eng. Stat.* 4 *Edw.* 3. *cap.* 11. Where divers have made alliances to maintain parties, whereby divers have been diſinherited, and ſome ranſomed and deſtroyed, and ſome for fear to be maimed and beaten, durſt not ſue for their right, nor jurors give their verdicts, the juſtices of the one bench and of the other, and the juſtices of aſſiſe, ſhall inquire, hear, and determine, as well at the King's ſuit, as at the ſuit of the party, of ſuch maintainers, bearers and conſpirators, and of them that commit champerty, as juſtices in eyre ſhould do. And that which cannot be determined before the juſtices upon the *niſi prius*, ſhall be adjourned into the place whereof they be juſtices.

All maintenance prohibited.

IX. *Eng. Stat.* 20 *Edw.* 3. *cap.* 4. None of the King's houſe, nor other which be towards the Queen or Prince, or towards the courts, nor prelates, earls, barons, nor other, ſhall take in hand quarrels other than their own, nor the ſame maintain for gift, promiſe, favour nor fear, but every man may be free to ſue for and defend his right according to law.

Loſs of offices, impriſonment and ranſom.

X. *Eng. Stat* 1 *Ric.* 2. *cap.* 4. No counſellors, officers, nor any other, ſhall take any quarrel by maintenance in the country, nor elſewhere, upon a grievous pain, *viz.* the counſellors and the King's great officers, upon a pain which ſhall be ordained by the King himſelf, by the advice of the lords, and other officers and ſervants of the King, as well in the exchequer and all his other courts, as of his own meiny, upon pain to loſe their offices, and to be impriſoned and ranſomed at the King's will; and all other perſons upon pain of impriſonment, and to be ranſomed.

Giving liveries.

XI. *Eng. Stat.* 1 *Ric.* 2. *cap.* 7. No livery ſhall be given for maintenance of quarrels, nor other confederacies, upon pain of impriſonment and grievous forfeiture. And the juſtices of aſſiſe ſhall inquire of all them that gather together in fraternities, by ſuch livery to do maintenance.

Perſons of the houſhold.

XII. *Eng. Stat.* Ordin. to prevent diſturbance, *&c.* 13 *Ric.* 2. *ſtat.* 3. No man of the church, nor eſquire, not other of lower eſtate, ſhall give livery of company; and no duke, earl, baron, or banneret, ſhall give ſuch livery to knight or eſquire, if he be not retained with him for term of life for peace and war by indenture, or his menial abiding in his houſe, nor to any yeoman or other of lower eſtate, unleſs he be of his houſhold.

Barretors and procurers of quarrels.

(2) And no lord nor other who hath people of his retinue, ſhall ſuffer any of them to be a maintainer, barretor, or procurer of quarrels. And if any lord turn away any ſuch maintainer, &c. for ſuch cauſe, no other lord ſhall receive him. And no man ſhall undertake or maintain any quarrel but his own. And this ordinance ſhall be kept, upon pain of impriſonment, fine, and ranſom, or other puniſhment by conſideration of the King and his council.

Engliſh ſtatutes to be executed.

XIII. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 15. *ſect.* 1. All ſtatutes heretofore made in England concerning maintenance, champerty and embracery, now in force, ſhall be put in execution in Ireland.

Buying or ſelling titles.

XIV. *ſect.* 2. No perſon ſhall buy or ſell or obtain any pretenſed rights or titles, or take promiſe or covenant to have any right or title of any perſon in or to any lands or hereditaments, *except* ſuch perſons which ſhall ſo ſell, grant, or promiſe the ſame, their anceſtors, or they by whom they claim the ſame, have been in poſ-

ſeſſion

ſeſſion of the ſame, or of the reverſion or remainder thereof, or taken the rents or profits thereof, by the ſpace of one whole year next before the ſaid bargain, grant, or promiſe made, upon pain that he that ſhall make any ſuch bargain, promiſe, or grant, to forfeit the whole value of the lands ſo bargained, promiſed, or granted contrary to this act.

(2) And the buyer or taker thereof knowing the ſame, to forfeit alſo the value of the ſaid lands ſo by him bought or taken as is aboveſaid; the one half of the ſaid forfeitures to be to the King, and the other half to the party that will ſue for the ſame in any court of record, by action in which no eſſoign, &c. nor injunction ſhall be allowed. Forfeiture of the value.

XV. *ſect.* 3 No perſon ſhall unlawfully maintain or procure any unlawful maintenance in any action, ſuit or complaint in any of the King's courts of the chancery or elſewhere, where any perſons ſhall have authority by the King's commiſſion, patent or writ, to hold plea of lands, or to determine any title of lands, or any matter of witneſſes concerning the title of lands. Maintenance in ſuits.

(2) And no perſons *ſhall* unlawfully retain for maintenance of any ſuit or plea, any perſons, or embrace any freeholders, or jurors, or ſuborn any witneſſes, by letters, rewards, promiſes, or any other ſiniſter means, for to maintain any cauſe, or to the diſturbance or hindrance of juſtice, or to the procurement of any manner of perjury by falſe verdict or otherwiſe in any courts, upon pain to forfeit for every ſuch offence ten pounds; the one moiety thereof unto the King, and the other moiety to him that will ſue for the ſame by action, &c, in any of the King's courts, in which no eſſoign, &c. nor injunction ſhall be allowed. Rewards or promiſes.

XVI. *ſect.* 4. Provided that it ſhall be lawful to any perſons being in lawful poſſeſſion by taking of the rents or profits of any lands, &c. to buy or have by any reaſonable means the pretenſed right of any other perſons to ſuch lands. Poſſeſſor of lands.

XVII. *ſect.* 5. The juſtices of aſſiſe ſhall in every county within their circuits, cauſe open proclamation to be made, as well of this preſent act, as alſo of all other ſtatutes heretofore made, againſt unlawful maintenance, champerty, embracery or unlawful retainors. Proclamation of ſtatutes.

XVIII. *ſect.* 6. This act ſhall not extend to charge any perſons with penalties for any offence, except the perſons ſo offending be ſued within one year after the offence committed. (*Eng. Stat.* 32 *Hen.* 8. *cap.* 9.) Suit in a year.

This act being a tranſcript of the Engliſh Stat. 32 Hen. 8. *which is enacted to be executed in this Kingdom, it is unneceſſary to inſert the* Engliſh *act.*

Manufactures.

I. *Stat.* 3 *Geo.* 2. *cap.* 14. *ſect.* 1. Whereas workmen, artificers, and others concerned in ſeveral trades and manufactures, have without any charter or authority formed themſelves into unlawful clubs and ſocieties, and have preſumed contrary to law, to enter into combinations, and to make by-laws by which they pretend to regulate the trade and the prices of goods, and to advance their wages unreaſonably, and many other things to the like purpoſe; all contracts, covenants, or agreements, and all by-laws, rules or orders, in ſuch unlawful clubs or ſocieties, made or entered into by any perſons exerciſing any trades and manufactures, for regulating the ſaid trade, or for regulating or ſettling the prices of goods, or for advancing their wages, or for leſſening their uſual hours of work, ſhall be illegal and void. Unlawful ſocieties. By-laws void.

II. *ſect.* 2. If any perſons concerned in trades and manufactures ſhall keep up, continue, act in, make, enter into, ſign, ſeal, or be knowingly concerned in, any contract, covenant or agreement, by-law, or order of any club, ſociety, or combination Illegal combinations.

nation, by this act declared to be illegal, or ſhall attempt to put any ſuch illegal agreement, by-law, or order in execution, every perſon ſo offending, being thereof convicted upon the oath of one credible witneſs before any two juſtices of the peace for the county or place where ſuch offence ſhall be committed, upon any proſecution within three calendar months after the offence, ſhall by order of ſuch juſtices, at their diſcretion, be committed either to the houſe of correction, there to be kept to hard labour for any time not exceeding three months, or to the common gaol of the county or place where ſuch offence ſhall be committed, without bail or mainprize, for any time not exceeding three months.

Departing from ſervice.

III. *ſect.* 3. If any perſon actually retained or employed as an artificer, workman, ſervant, or labourer, in any trades or manufactures, ſhall depart from his ſervice before the end of the time for which he ſhall be hired or retained, or ſhall quit his work for the ſpace of three days, or return his work before the ſame ſhall be compleatly finiſhed, without the conſent of the perſons by whom he ſhall be ſo employed or retained, unleſs it be for ſome ſufficient cauſe, to be allowed by two juſtices of the peace in their reſpective juriſdictions, every perſon ſo offending, being thereof lawfully convicted before two juſtices as aforeſaid, ſhall forfeit five pounds, one half thereof to the informer, and the other half to the poor of the pariſh.

Warrant for diſtreſs.

(2) Which five pounds the ſaid juſtices are required to levy by their warrants for diſtreſs and ſale of the offenders goods, and for want of ſufficient diſtreſs to commit the parties offending to the houſe of correction, there to be kept to hard labour for any time not exceeding three months.

Materials and wages.

IV. *ſect.* 4. Provided that if the perſons ſo employing or retaining any ſuch artificer, ſervant, workman or labourer, ſhall not conſtantly furniſh him with proper materials, or ſhall not pay and diſcharge all ſuch wages and hire as the ſame ſhall become due, according to agreement, ſuch want of materials or non-payment of wages being firſt proved before two juſtices, in every ſuch caſe ſuch artificer, &c. ſhall not be liable to the penalties before mentioned for departing from his ſervice, or quitting or returning his work as aforeſaid.

Employing others.

V. *ſect.* 5. It ſhall be lawful for the perſons ſo employing any ſuch artificer, &c. to employ any other perſons to finiſh and compleat ſuch work as ſhall be ſo left by any ſuch artificer, &c. and the perſon who ſhall be employed to finiſh ſuch work, though not free of any corporation, ſhall not be liable to any fines and penalties that may be impoſed by any court or corporation for his finiſhing the ſaid work.

Diſputes between maſters and artificers.

(2) And if any diſpute ſhall ariſe between any maſter-workman, or other perſon employing any ſuch artificer, &c. about the goodneſs of materials, or whether the ſame be fit or a ſufficient quantity given for the work for which they were intended, upon application made by either of the parties to one juſtice, ſuch juſtice is required to give directions to the maſter and wardens of the corporation or trade profeſſed by either of the parties, and in ſuch places where no corporation is ſubſiſting, then to any other experienced perſon, to examine into the premiſſes, and the deciſion ſo made therein by the ſaid maſter and wardens or other experienced perſon, is to be definitive.

Providing ſtuff.

VI. *ſect.* 6. In caſe of ſuch diſputes, if any workman ſhall provide ſtuff or materials without the conſent of the employer, before the determination firſt had as aforeſaid, under pretence of making a particular charge thereof or otherwiſe, it ſhall be lawful for ſuch employer or maſter-workman to refuſe payment for the ſame, and to plead the general iſſue in any action to be brought upon account thereof, &c.

Workmen retained by others.

VII. *ſect.* 7. If any maſter-workman, or other perſon by direction or with his privity, ſhall knowingly receive, employ, or entertain, any artificer, workman, ſervant, or labourer already employed or retained by another during the time he is

ſo

ſo employed or retained, without leave of the perſons by whom he is ſo employed or retained, every ſuch offender being thereof convicted, ſhall for every ſuch offence forfeit five pounds, one half thereof to be given to the perſon aggrieved, and the other half to the poor of the pariſh where ſuch offence ſhall be committed, the ſame to be levied by diſtreſs and ſale of the offenders goods and chattels, by warrant of any one juſtice, and for want of diſtreſs, ſuch juſtices ſhall commit the perſon ſo offending to the common gaol of the county or place where ſuch offence ſhall be committed, for any time not exceeding three months.

VIII. *ſect.* 8. If any artificer, workman, ſervant, or labourer, hired, retained, or employed, in any trades and manufactures, ſhall wilfully damnify or deſtroy without the conſent of the perſons by whom he ſhall be ſo employed, any of the goods or work committed to his charge, or wherewith he ſhall be intruſted, every ſuch offender and his accomplices, being thereof convicted as is before mentioned, ſhall forfeit to the owners of ſuch goods or work ſo damnified or deſtroyed, double the value thereof, to be levied by diſtreſs and ſale of the offenders goods by warrant of any two juſtices, and for want of ſufficient diſtreſs, ſuch juſtices ſhall commit the parties ſo offending to the houſe of correction, there to be kept to hard labour for any time not exceeding three months, or until ſatisfaction be made to the parties aggrieved. Damnifying goods or work.

IX. *ſect.* 9. Every perſon concerned in employing any artificers, workmen, ſervants, or labourers, in any trades or manufactures, ſhall pay unto all perſons by them employed in the trades and manufactures aforeſaid, the full wages or other price agreed on in money, and ſhall not pay the ſaid wages or other price agreed on, or any part thereof, in goods, or by way of truck, or in any other manner than in money, or make any deduction from ſuch wages or price, on account of any goods ſold or delivered previous to ſuch agreement by any perſon whatſoever, or in order to pay any ale-houſe or tavern ſcores, or other debts, without the conſent of the perſons ſo by them hired and employed, Wages to be paid in money.

X. *ſect.* 10. It ſhall be lawful for any two juſtices of the peace, and they are hereby required upon complaint made for that purpoſe, to ſummon before them the parties offending, he or ſhe not being a peer or peereſs of this realm, and for non-payment of ſuch wages, or price agreed on in money, or ſufficient ſatisfaction given for the ſame to the good liking of the parties aggrieved, to iſſue their warrants for levying ſuch wages or price agreed on due as aforeſaid, provided the ſame ſhall not exceed three pounds, by diſtreſs and ſale of the offenders goods, and for want of ſufficient diſtreſs, to commit the parties offending to the common gaol of the county or place where ſuch offence ſhall be committed, until they ſhall pay ſuch wages or price agreed on, in money as aforeſaid, or give full ſatisfaction for the ſame to the good liking of the party aggrieved. Summoning offenders.

XI. *ſect.* 11. Provided that it ſhall be lawful for any perſon aggrieved by any order to be made by two juſtices in purſuance of this act to appeal to the juſtices at the next general quarter-ſeſſions to be holden for the county or place where ſuch order ſhall be made, giving reaſonable notice of ſuch appeal, the reaſonableneſs of which notice ſhall be determined by the juſtices at the quarter-ſeſſions to which the appeal is made; and if it ſhall appear to them that reaſonable time of notice was not given, they ſhall adjourn the ſaid appeal to the next quarter-ſeſſions, and then and there finally determine the ſame; and the juſtices, who in the general quarter-ſeſſions ſhall hear the matter, ſhall have power to award reaſonable coſts to either party. Appeal to the quarter-ſeſſions.

XII. *ſect.* 12. No maſter-workman, overſeer, or undertaker of any work, who ſhall employ any workmen or journeymen under him, at daily or weekly wages, Over-charging wages.

ſhall

ſhall upon any pretence charge his employer with any further ſums of money for the wages of ſuch workmen or journeymen, than what ſuch maſter-workman, overſeer, or undertaker, ſhall actually and *bona fide* pay to ſuch workmen or journeymen.

Forfeit ten pounds.

(2) And in caſe ſuch maſter-workman, overſeer, or undertaker, ſhall offend herein, ſuch maſter-workman, overſeer, or undertaker, ſhall forfeit for every ſuch offence ten pounds, to be recovered by civil bill in ſuch manner as ſmall debts are recoverable.

Aſſaulting journeyman or maſter.

XIII. *Stat.* 5 *Geo.* 2. *cap.* 4. *ſect.* 13. If any undertaker or journeyman ſhall ſtrike or aſſault any other journeyman for working for their employer, or ſhall be any way aiding or aſſiſting therein, or if any undertaker or journeyman ſhall aſſault his maſter or employer, for employing whatſoever perſons he ſhall judge proper in his work and ſervice, every perſon ſo offending, being thereof, upon complaint of the parties aggrieved, lawfully convicted, upon the oath of one credible witneſs, before any two juſtices of the peace, for the county or place where ſuch offence ſhall be committed, within three months after the offence committed, ſhall for every ſuch offence forfeit forty ſhillings, one half thereof to the perſons aggrieved, and the other half to the poor of the pariſh where ſuch offence ſhall be committed, and for default of payment thereof, ſuch offenders ſhall be committed to the common gaol for any term not exceeding three months.

Aſſemblies making by-laws.

XIV. *Stat.* 17 *Geo.* 2. *cap.* 8. *ſect.* 4. All meetings and aſſemblies, where three or more perſons not incorporated by charter aſſemble, or meet together, and make any by-law or order or give any direction, any way relating to journeymen or apprentices, or ſervants, or for the collection of money for the ſupport of journeymen who do not work at their ſeveral trades, or of apprentices, or of ſervants who are out of ſervice, or under pretence of providing for the wives and children of ſuch journeymen, apprentices, or ſervants, or for the uſe of any members of ſuch ſocieties upon any pretence, ſhall be deemed as unlawful aſſemblies.

Houſes of meeting nuſances.

(2) And the houſes, where ſuch perſons to the number of three or more uſually meet, ſhall be adjudged common nuſances, and the maſter or miſtreſs of ſuch houſe, if it be made appear that he or ſhe knowingly permitted ſuch aſſemblies, ſhall be proſecuted by preſentment or indictment for ſuch offence, and being thereof convicted, ſhall be puniſhed, as thoſe who keep common bawdy-houſes are puniſhable.

Collecting or paying money.

(3) And all perſons, as well journeymen, apprentices, and ſervants, who receive wages, as others not incorporated by charter, who enter into any contract, covenant, or articles, any way relating to journeymen, apprentices, or ſervants, or who ſhall collect or pay any money for the ſupport of the perſons meeting in ſuch clubs or ſocieties, being convicted of ſuch offence before two juſtices, in the manner by the act 3 *Geo.* 2. *cap.* 14. directed, and within the time by the ſaid act limited, ſhall be puniſhed in ſuch manner as by the ſaid act is directed.

Summons to witneſſes.

XV. *ſect.* 5. It ſhall be lawful for ſuch juſtices, and they are required upon any information given them againſt perſons ſo offending, to iſſue ſummonſes to any perſon to appear before them as witneſſes on ſuch proſecution.

Neglecting to appear.

(2) And in caſe perſons ſo ſummoned ſhall neglect to appear, being duly ſerved with ſuch ſummons, ſuch perſons ſhall forfeit for ſuch neglect forty ſhillings to the informer, to be levied by diſtreſs and ſale of the offenders goods, by warrant of the ſaid juſtices, and in caſe no ſufficient diſtreſs can be found, ſuch juſtices are required by warrants to ſend the ſaid offenders to the common gaol for one month, unleſs ſuch offenders ſhall ſooner ſubmit to be examined.

XVI. *ſect.*

XVI. *ſect.* 6. Provided that nothing ſaid by any perſon who ſhall be examined as a witneſs on any ſuch indictment, or before ſuch juſtices, ſhall be given in evidence againſt ſuch perſons who ſhall be ſo examined, on any information or indictment he may be charged with, or before any two juſtices, on this or the former act. Not to be given in evidence.

XVII. *ſect.* 7. In caſe any perſons concerned in employing any artificer, workmen, ſervants, or labourers, in any trades or manufactures, ſhall pay any ſuch artificer, &c. their wages or other price agreed on, or any part thereof, either in goods or by way of truck, or in any other manner than in ready money, and ſhall be thereof convicted, upon the oath of one credible witneſs, before any two juſtices of the peace for the county or place where ſuch offence ſhall be committed, upon any information exhibited within three calendar months after ſuch offence committed, and which ſuch juſtices are required to take, *they* ſhall forfeit ten pounds to be paid to the informer, to be levied by warrants of ſuch juſtices for diſtreſs and ſale of the offenders goods. Paying wages in goods.

XVIII. *ſect.* 8. Provided that it ſhall be lawful for any perſon aggrieved by any order to be made by any two juſtices in relation to workmen or artificers wages, or paying them in truck inſtead of money, to appeal to the juſtices at the next general quarter-ſeſſions to be holden for the county or place where ſuch order ſhall be made, who are hereby impowered to determine the ſame, and to award reaſonable coſts to either party who ſhall appear to be aggrieved. Appeal to the quarter-ſeſſions.

XIX. *Brit. Stat.* 23 *Geo.* 2. *cap.* 13. *ſect.* 1. If any perſons ſhall contract with or endeavour to perſwade or ſeduce, &c. any artificers in the manufactures of Great Britain or Ireland, to go out of this kingdom, or out of Ireland, into any foreign country, not belonging to the crown of Great Britain, and be convicted thereof, upon indictment or information brought in the King's bench at Weſtminſter, &c. if the offence be committed in England, or by indictment or information in the King's bench at Dublin, if the offence be committed in Ireland, he ſhall for every artificer ſo contracted with or ſolicited, &c. forfeit five hundred pounds, and be impriſoned in the common gaol of the place where he ſhall be convicted, for twelve months, and until payment of the forfeiture; and in caſe of a further conviction, upon a ſecond or other ſubſequent offence of the ſame kind, he ſhall forfeit one thouſand pounds for every ſuch artificer contracted with or ſeduced, &c. by him, and ſuffer two years impriſonment, and until payment of the forfeiture. Seducing artificers. Forfeit 500*l.*

XX. *ſect.* 2. Provided that all proſecutions for offences againſt this act ſhall be commenced within twelve months after the fact committed. Proſecution in 12 months.

XXI. *ſect.* 3. If any perſon, in Great Britain or Ireland, ſhall upon any pretence, load or put on board any veſſel not bound directly to ſome place in Great Britain or Ireland, or to ſome other dominions belonging to the crown of Great Britain, any tools or utenſils, or any parts thereof uſed in, or proper for the woollen or ſilk manufactures, he ſhall forfeit the ſame, and two hundred pounds, to be recovered in any of the courts at Weſtminſter, &c. or in any of the four courts at Dublin, &c. Exporting tools or utenſils.

XXII. *ſect.* 4. Any officer of the cuſtoms in Great Britain, and of the revenue in Ireland, may ſeize and ſecure in ſome of the King's ware-houſes, all ſuch tools or utenſils prohibited to be exported, as ſhall be found on board any veſſel or boat, not bound directly to ſome place of Great Britain or Ireland, or to ſome other of the dominions of the crown of Great Britain, and the ſame after legal condemnation ſhall be publickly ſold to the beſt bidder; one moiety of the produce to go to the King, and the other moiety to the officer, &c. Officers may ſeize.

XXIII. *ſect.*

Maſters of ſhips. XXIII. *ſect.* 5. If the maſter of any veſſel or boat in Great Britain or Ireland ſhall knowingly permit, any of the ſaid tools or utenſils prohibited to be exported, to be put on board his ſhip, &c. he ſhall forfeit one hundred pounds to be ſued for and recovered as the penalties of this act inflicted upon perſons exporting the ſaid tools or utenſils, and if ſuch veſſel, &c. belongs to his Majeſty, the captain or maſter thereof ſhall forfeit one hundred pounds and his employment, and be incapable of any office under the crown.

Officers permitting exportation. XXIV. *ſect.* 6. If any officer of the cuſtoms in Great Britain, or of the revenue in Ireland, ſhall take an entry outward, or ſhall ſign any ſufferance for the ſhipping or exporting of any of the ſaid tools, or ſhall knowingly permit the ſame to be done, directly or indirectly, he ſhall forfeit one hundred pounds and his office, and be incapable of any office under the crown.

Diſpoſal of penalties. XXV. *ſect.* 7. One moiety of the reſpective forfeitures inflicted upon offenders againſt this act, to go to the King, and the other to the proſecutor.

Limitation of ſix months. XXVI. *ſect.* 8. All ſuits which ſhall be brought againſt any perſon for what he ſhall do in purſuance of this act, ſhall be commenced within ſix months after the fact, and the defendant may file common bail, or enter a common appearance, and plead the general iſſue, and if the plaintiff ſhall become nonſuit, or ſuffer diſcontinuance, or if a verdict or judgment upon demurrer be given againſt him, the defendants ſhall recover treble coſts.

Embezzelling materials. XXVII. *Stat.* 31 *Geo.* 2. *cap.* 10. *ſect.* 1. If any perſon who ſhall be hired or employed to make any felt or hat, or to prepare or work up any fuſtian, cotton, furr, iron, woollen, mohair, or ſilk manufactures, or any manufactures made up of cotton, furr, wool, mohair, or ſilk, or of any of the ſaid materials mixed one with another, ſhall purloin, embezzel, ſecrete, ſell, pawn, exchange, or otherwiſe unlawfully diſpoſe of any of the materials, with which they ſhall be reſpectively intruſted, whether the ſame, or any part thereof, be, or be not, firſt wrought into merchantable wares, or ſhall ſecrete, ſell, pawn, exchange, or otherwiſe unlawfully diſpoſe of the working tools with which they ſhall be reſpectively intruſted, and ſhall be thereof lawfully convicted, by the oath (or if the owner thereof be of the people called quakers) ſolemn affirmation of the owner of ſuch goods or materials, or by the oath or affirmation of any other credible witneſs, or by the confeſſion of the perſons charged with ſuch offence, before any juſtice of the peace of the county, town, or place where ſuch offence ſhall be committed, or where the perſons ſo charged ſhall reſide or inhabit (which oath or affirmation, the ſaid juſtices are required to adminiſter) it ſhall be lawful for the ſaid juſtices, by warrant under their hand and ſeal, to commit the perſons ſo convicted to the houſe of correction, or other publick priſon of ſuch county or place, there to be kept to hard labour, for fourteen days; and alſo to order the perſon ſo convicted to be once publickly whipped at the market place, or ſome other publick place of the place where ſuch offenders ſhall be reſpectively committed.

Working-tools.

Second offence. (2) And in caſe of a further conviction, in manner before preſcribed, for a ſubſequent offence of the ſame kind, it ſhall be lawful for the juſtice, before whom ſuch conviction ſhall be had, to commit the perſon ſo again offending to the houſe of correction, or other publick priſon as aforeſaid, there to be kept to hard labour, for any time not exceeding three months, nor leſs than one month; and alſo to order the perſons ſo again offending to be publickly whipped at the market place, or ſome other publick place of the town, or place where ſuch offenders ſhall be reſpectively committed, twice, or oftner, as to ſuch juſtices ſhall appear reaſonable.

XXVIII. *ſect.*

XXVIII. *ſect.* 2. If any perſon ſhall buy, receive, accept, or take, by way of gift, pawn, pledge, ſale, or exchange, or in any other manner, from any perſon hired or employed to make any felt or hat, or to prepare or work up any fuſtian, cotton, furr, iron, woollen, mohair, or ſilk manufactures, or any manufactures made up of cotton, furr, wool, mohair, or ſilk, or of any of the ſaid materials mixed with one another, any thrums or ends of yarn, or any other materials of furr, cotton, iron, wool, mohair, or ſilk, whether the ſame, or any part thereof, be or be not firſt wrought, made up, or manufactured, or any working tools belonging to the ſaid manufactures, knowing the perſons of whom they ſo buy, receive, accept, or take the ſaid goods or materials to be hired, or employed, or intruſted as aforeſaid, and not having firſt obtained the conſent of the perſons ſo hiring, or employing, and intruſting them, who ſhall offer to ſell, pawn, pledge, exchange, or otherwiſe diſpoſe of the ſaid goods or materials, or ſhall buy, receive, accept, or take, in any manner, from any other perſon, any of the ſaid materials, whether the ſame be or be not firſt wrought, made up, or manufactured, or the ſaid working tools, knowing the ſame to be ſo purloined or imbezzeled; the perſons ſo buying, receiving, accepting, or taking any ſuch goods or materials, or working tools, being thereof convicted, in manner before preſcribed, for the conviction of perſons purloining or imbezzeling the ſaid goods or materials, ſhall, for the firſt offence, forfeit five pounds. Receiving materials or tools.

(2) And in caſe the ſaid forfeiture ſhall not be immediately paid, the juſtice, before whom ſuch conviction ſhall be had, ſhall commit the parties ſo convicted to the houſe of correction, or other publick priſon, as aforeſaid, there to be kept to hard labour for fourteen days, unleſs the ſaid forfeiture ſhall be ſooner paid. Committal.

(3) And if within two days before the expiration of the ſaid fourteen days, the ſaid forfeiture ſhall not be paid, the ſaid juſtices are required to order the perſons ſo convicted to be publickly whipped at the market place, or ſome other publick place where ſuch offenders ſhall be reſpectively committed, once or oftner, as to ſuch juſtices ſhall appear reaſonable. Publick whipping.

(4) And in caſe of a further conviction for any other ſubſequent offence of the ſame kind, the perſons ſo again offending, being thereof convicted in manner before perſcribed by this act, ſhall, for every ſubſequent offence, forfeit ten pounds. Further conviction.

(5) And in caſe the ſaid forfeiture ſhall not immediately be paid, the juſtice before whom ſuch conviction ſhall be had, ſhall commit the parties ſo convicted to the houſe of correction, or other publick priſon as aforeſaid, there to be kept to hard labour, for any time, not exceeding three months, nor leſs than one month, unleſs the ſaid forfeiture ſhall be ſooner paid. Committal.

(6) And if within ſeven days before the expiration of the time, for which ſuch offenders ſhall be ſo committed, the ſaid forfeiture ſhall not be paid, the ſaid juſtices are required, to order ſuch offenders to be publickly whipped at the market place, or ſome other publick place where they ſhall be reſpectively committed, twice, or oftner, as to ſuch juſtices ſhall appear reaſonable. Publick whipping

(7) And the ſaid reſpective forfeitures of five pounds, and ten pounds, when recovered, after ſatisfaction ſhall have been made thereout to the parties injured, together with ſuch coſts of proſecution as ſhall be judged reaſonable by the juſtice before whom ſuch conviction ſhall have been had, ſhall be equally diſtributed among the poor of the pariſh, or place where the perſon ſo convicted ſhall reſide. Penalties to the poor.

XXIX. *ſect.* 3. Provided that if any perſon convicted as aforeſaid, of buying, receiving, or taking to pawn, any of the materials herein before mentioned, ſhall Appeal to the ſeſſion.

think himſelf or herſelf aggrieved by the judgment of the juſtices, before whom he or ſhe ſhall have been convicted, ſuch perſon ſhall have liberty to appeal to the juſtices at the next general or quarter ſeſſions of the peace, which ſhall be held for the county, or place where ſuch judgment ſhall have been given.

Execution to be ſuſpended.

(2) And the execution of the ſaid judgment, ſhall in ſuch caſe be ſuſpended, the perſon ſo convicted, entering into a recognizance at the time of ſuch conviction, with two ſufficient ſureties, in double the ſum which ſuch perſon ſhall have been adjudged to forfeit, upon condition to proſecute ſuch appeal with effect, and to be forth-coming to abide the judgment and determination of the juſtices, in the ſaid general or quarter ſeſſions, which recognizance, the ſaid juſtices, before whom ſuch conviction ſhall be had, ſhall hereby be impowered and required to take.

Coſts to either party.

(3) And the juſtices in the ſaid ſeſſions ſhall hear and finally determine the matter of the ſaid appeal, and award ſuch coſts as to them ſhall appear juſt and reaſonable, to be paid by either party; and if upon hearing of the ſaid appeal, the judgment of the juſtices before whom the appellant ſhall have been convicted, ſhall be affirmed, ſuch appellant ſhall immediately pay the ſum which he or ſhe ſhall have been adjudged to forfeit, together with ſuch coſts, as the juſtices in the ſaid ſeſſions ſhall award to be paid by him or her, for defraying the expences ſuſtained by the defendant or defendants in ſuch appeal.

Judgment to be final.

(4) Or in default of making ſuch payments, ſhall ſuffer the reſpective pains and penalties by this act inflicted upon perſons who ſhall neglect to pay the reſpective forfeitures, by this act impoſed upon ſuch as ſhall be convicted of buying, receiving, or taking to pawn any of the goods, or materials herein before mentioned, which ſhall have been purloined or embezzled, and the determination of the ſaid juſtices at the ſaid ſeſſions ſhall be abſolutely final and concluſive.

Warrant on conviction.

XXX. *ſect.* 4. If any perſon ſhall be charged with, and afterwards convicted of purloining, or embezzling any of the aforeſaid goods or materials, or of buying or receiving the ſame, in manner before deſcribed, it ſhall be lawful for the juſtice of the peace, before whom ſuch conviction ſhall be had, to iſſue a warrant under his hand and ſeal, directed to any perſon or perſons, impowering them, in the preſence of a conſtable, and in the day-time, to enter into, and ſearch the houſes, out-houſes, ſhops, cellars, vaults, and other places belonging to the perſons ſo convicted.

Search for materials.

(2) And if upon ſuch ſearch, there ſhall be found any thrums or ends of yarn, or any other materials of furr, cotton, iron, wool, mohair, or ſilk, or any working tools belonging to the ſaid manufactures, it ſhall be lawful for the perſons impowered to make ſuch ſearch, to bring ſuch goods or materials before the ſaid juſtices, to be by them detained and kept in ſafe cuſtody; and if within ten days next after ſuch thrums or ends of yarn, or other goods or materials ſhall be ſo taken and detained, it ſhall be made appear, to the ſatisfaction of the ſaid juſtices, that the perſons from whoſe houſes, out-houſes, ſhops, cellars, vaults, or other places as aforeſaid, the ſaid goods or materials ſhall be ſo taken and detained, are the lawful owners thereof, and came to the poſſeſſion of the ſame in an honeſt and lawful manner, then all ſuch thrums or ends of yarn, or other materials ſo taken and kept as aforeſaid, ſhall be reſtored to the perſons out of whoſe cuſtody or poſſeſſion the ſame ſhall have been ſo taken.

Proof of property.

(3) But in caſe it ſhall not be made appear within the time before limited to the ſatisfaction of the ſaid juſtices, that the perſons convicted as aforeſaid, are the lawful owners of the ſaid materials ſo taken and detained, then the ſaid materials ſhall be adjudged to be purloined or embezzled, and it ſhall be lawful for the ſaid juſtices,

juſtices, to direct all ſuch thrums or ends of yarn, or other materials, to be publickly ſold, and the money ariſing from ſuch ſale, (the charges of ſuch ſale being firſt deducted) to be equally diſtributed among the poor of the pariſh or place where the perſons ſo convicted reſide.

XXXI. *ſect.* 5. Provided that the ſaid juſtices ſhall, within three days after ſuch materials ſhall be brought to them as aforeſaid, give notice thereof in writing, under their hand and ſeal, to the perſons convicted as aforeſaid, appointing in ſuch notice, a time and place for their attending, in order to make out, and prove their property in ſuch materials ſo taken and detained, which time ſo to be appointed, ſhall be within fourteen days, and not leſs than ten days after ſuch notice given. Notice to be given.

(2) And if the perſons ſo convicted, ſhall be detained in any houſe of correction, or other priſon as aforeſaid, the ſaid juſtices ſhall alſo cauſe a copy of the ſaid notice, atteſted under their hand and ſeal, to be delivered to the maſter or keeper of ſuch houſe of correction, or other priſon, which maſter or keeper is required to bring before ſuch juſtices, the perſons named in ſuch notice, at the time and place therein ſpecified, and if the perſons named in ſuch notice be then in the cuſtody of ſuch maſter or keeper. Perſons confined.

(3) And if any ſuch maſter or keeper ſhall neglect or refuſe ſo to do, ſuch maſter or keeper ſhall, for every ſuch neglect or refuſal, forfeit to the perſons reſpectively named in ſuch notice, the full value of the materials ſo taken, detained, and ſold, to be recovered by diſtreſs and ſale of the goods and chattles of ſuch maſter or keeper, by warrant under the hand and ſeal of the juſtice ſigning ſuch notice, in caſe the ſaid forfeiture ſhall not be immediately paid. Penalty for refuſal.

XXXII. *ſect.* 6. Provided alſo, that if any perſon ſhall think himſelf or herſelf aggrieved by the judgment or order of the ſaid juſtices, relating to the ſale or diſpoſal of the ſaid materials ſo found and detained, ſuch perſon ſhall have liberty to appeal againſt the judgment or order of the ſaid juſtices, to the juſtices of the peace in the general or quarter ſeſſions of the peace, which ſhall be held for the ſame county or town, next after ſuch judgment or order ſhall be made. Appeal to the ſeſſions.

(2) And in the mean time, the ſale and diſpoſal of ſuch materials ſhall be poſtponed, notice in writing under the hand of the perſon intending to appeal, ſignifying ſuch his or her intention, being given to the juſtice by whom ſuch order ſhall have been made, before the time appointed for the ſale and diſpoſal of ſuch materials. Sale to be poſtponed.

(3) And the juſtices of the ſaid ſeſſions of the peace, ſhall hereby be authorized to ſummon and examine witneſſes upon oath (or being of the people called Quakers, upon their ſolemn affirmation) and to hear and finally determine the matter of the ſaid appeal. Appeal to be determined.

(4) And in caſe the ſaid appellant ſhall not proſecute ſuch his or her appeal, or for any other cauſe, the judgment of the ſaid juſtices, by whom ſuch order ſhall have been made, ſhall be affirmed, it ſhall be lawful for the juſtices in the ſaid ſeſſions, to award ſuch coſts as they in their diſcretion ſhall think reaſonable, to be paid by the appellant for defraying the expences ſuſtained by the defendants in ſuch appeal, and the determination of the ſaid juſtices, at the ſaid ſeſſions, ſhall be final. Coſts of appeal.

XXXIII. *ſect.* 7. If any perſon intruſted with any of the materials herein before mentioned, in order to prepare, work up, or manufacture the ſame, ſhall not uſe all ſuch materials in the preparing. working up, or manufacturing of the ſame, and ſhall neglect or delay, for fourteen days after ſuch materials ſhall be prepared, Reſidue to be returned.

worked up, or manufactured, to return (if required by the owners of ſuch materials ſo to do) ſo much of the ſaid materials as ſhall not be uſed as aforeſaid, to the perſons intruſting them therewith, ſuch neglect or delay ſhall be adjudged to be an embezzling or purloining of ſuch materials, and the perſons ſo neglecting or delaying, being thereof convicted, in manner before preſcribed for the conviction of offenders againſt this act, ſhall ſuffer the like puniſhment as perſons convicted of embezzling or purloining any of the materials herein before mentioned are liable to.

Juſtices to proceed on complaint.

XXXIV. *ſect.* 8. It ſhall be lawful for one juſtice of the peace of any county, diviſion, liberty, city, town, or place, and he ſhall, upon complaint to him made upon oath, or (if the perſon complaining be of the people called Quakers) ſolemn affirmation, of any offence herein before mentioned, committed within the ſaid county, to iſſue his warrant for apprehending and bringing before him, or any other juſtice of the peace of the ſaid county the perſons charged with ſuch offence; and the juſtices before whom ſuch perſons ſhall be brought, are required to hear and determine the matter of every ſuch complaint, and to proceed to conviction and judgment thereupon.

Not compleating work.

XXXV. *ſect.* 9. If any perſon who ſhall be hired, retained, or employed to prepare, or work up any of the manufactures herein before mentioned, for any one maſter, ſhall neglect or refuſe the performance thereof, by procuring or permitting himſelf or herſelf to be ſubſequently retained or employed by any other perſon, before he or ſhe have compleated the work which he or ſhe was firſt and originally ſo hired, retained, or employed to perform, and which was firſt delivered to him or her, the perſon ſo offending, being thereof lawfully convicted by the oath or (being of the people called Quakers) affirmation of one credible witneſs, before one juſtice of the peace of the county where the offence ſhall be committed, the perſons ſo convicted, ſhall be ſent to the houſe of correction, there to be kept to hard labour for any time not exceeding one month.

No double puniſhment.

XXXVI. *ſect.* 10. Provided, that no perſon ſhall, by virtue of any act heretofore made, or of any thing herein contained, ſuffer, or be liable to ſuffer twice for one and the ſame fact or offence.

Deſtroying goods or tools.

XXXVII. *ſect.* 12. If any perſon ſhall by day or by night break into any houſe or ſhop, or enter by force into any houſe or ſhop, with intent to cut or deſtroy any fuſtian, cotton, woollen, mohair, or ſilk goods, in the loom, or any tools employed in the making thereof, or ſhall wilfully and maliciouſly cut or deſtroy any fuſtian, cotton, woollen, mohair, or ſilk goods, in the loom or on the rack, on which any of the aforeſaid goods are hanged, in order to dry, and ſhall wilfully and maliciouſly break or deſtroy any tools uſed in the making of fuſtian, cotton, woollen, mohair, and ſilk goods, not having the conſent of the owner ſo to do, every ſuch offender, being thereof lawfully convicted, ſhall be adjudged guilty of felony without benefit of clergy.

Felony without clergy.

Summoning by writing, &c.

XXXVIII. *Stat.* 3 *Geo.* 3. *cap.* 34. *ſect.* 32. If any perſon ſhall ſummon, or cauſe to be ſummoned, by writing or otherwiſe, any manufacturer, artificer, journeyman, apprentice, or labourer, uſually employed in any trade or manufacture, to appear at any meeting, in order to conſult upon or to enter into any rule, agreement, or combination, to aſcertain or fix the price of labour or workmanſhip, or ſhall adminiſter or cauſe to be adminiſtered, any oath or declaration, to any ſuch manufacturer, artificer, journeyman, apprentice, or labourer as aforeſaid, tending to fix the price of wages of labour or workmanſhip, or ſhall iſſue or cauſe to be iſſued, deliver or cauſe to be delivered, any ticket, certificate, or token, other than and except ſuch ticket or certificate as ſhall be delivered by, or by the order of the corporation,

Adminiſtring oaths.

Iſſuing tickets or tokens.

poration, whereof ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, is a member, of his being licenſed to work at their reſpective trades, or ſhall make or join in making any rule, order, or regulation, relating to the prices or wages of labour or workmanſhip, in any part or branch of any trade or manufacture, or ſhall by force, menaces, or otherwiſe hinder, or attempt to hinder, any ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer as aforeſaid, to work at their reſpective trades, at ſuch prices as they ſhall agree for with their reſpective employers, every ſuch perſon being thereof lawfully convicted by the teſtimony upon oath of one credible witneſs, or by the confeſſion of the perſon charged with ſuch offence, before any one juſtice of the peace, or any chief magiſtrate, within their reſpective juriſdictions, it ſhall be lawful for ſuch juſtice and chief magiſtrate reſpectively, by warrant under his hand and ſeal, to commit the perſons ſo convicted to gaol, there to be kept without bail or mainprize for ſix months; and alſo to order the perſons ſo convicted, to be three times publickly whipped, at ſome publick place within the juriſdiction of ſuch juſtice of the peace, or chief magiſtrate.

Making rules.

Force or menaces, &c.

Conviction before a juſtice.

Committal for ſix months.

To be whipped thrice.

XXXIX. *ſect.* 33. If any ſuch manufacturer, artificer, weaver, journeyman, apprentice, or labourer, ſhall take an oath, or enter into any combination or agreement, to aſcertain or fix the price of wages or workmanſhip, or take any oath, or enter into any combination, not to work for any particular maſters or employers, and ſhall be thereof convicted by the teſtimony upon oath of one credible witneſs, or by the confeſſion of the perſon charged with ſuch offence, before any one juſtice of the peace, or any chief magiſtrate, within their reſpective juriſdictions, it ſhall be lawful for ſuch juſtice or chief magiſtrate, by warrant under his hand and ſeal, to commit the perſon ſo convicted to gaol, there to be kept without bail or mainprize, for ſix months; and alſo to order the perſons ſo convicted, to be three times publickly whipped at ſome publick place within the juriſdiction of ſuch juſtice or chief magiſtrate.

Taking oaths.

Entering into combinations.

Committal for ſix months.

Whipped three times.

XL. *ſect.* 34. If any perſon ſhall by day or by night break into any houſe or ſhop, or enter by force into any houſe or ſhop with intent to cut or deſtroy any woollen manufacture, or any manufacture made or mixed with woollen yarn, or ſhall wilfully and maliciouſly break and deſtroy any tools uſed in making or manufacturing of the ſame, not having the conſent of the owner ſo to do, every ſuch offender, being thereof lawfully convicted, ſhall be adjudged guilty of felony, and ſhall ſuffer death, as in caſes of felony, without benefit of clergy.

Breaking into houſes, &c.

Deſtroying manufactures, &c.

Breaking tools, &c.

Felony, without clergy.

Marriages.

I. *Stat.* 33 *Hen.* 8 *ſeſſ.* 1. *cap.* 6. *ſect.* 2. Every ſuch marriage as within this church of Ireland ſhall be contracted betwixt lawful perſons, as all perſons be lawful that be not prohibited by God's law to marry, being contracted and ſolemnized in the face of the church, and conſummate with bodily knowledge or fruit of children being had therein, ſhall be judged to be lawful and indiſſoluble, notwithſtanding any precontracts of matrimony not conſummate with bodily knowledge, which either of the perſons ſo married or both ſhall have made with any other perſons before the time of contracting that marriage which is ſolemnized or conſummate, or whereof ſuch fruit may enſue as afore, and notwithſtanding any diſpenſation, preſcription, or other thing granted or confirmed by act or otherwiſe.

Precontracts not conſummated.

(2) And no reſervation or prohibition, God's law except, ſhall impeach any marriage without the levitical degrees; and no perſon ſhall be admitted in any ſpiritual court within this land of Ireland, or any other his Grace's dominions

Levitical degrees.

ons to any proceſs, pleas, or allegations contrary to this act. *Eng. Stat.* 32 *Hen.* 8. *cap.* 38.

This act is revived by Stat. 2 Eliz. cap. 1. *as to ſo much only as concerns the degrees of conſanguinity.*

Trial of bigamy. II. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 21. *ſect.* 1. If any perſon being married, do marry any perſon, the former huſband or wife being alive, ſuch offence ſhall be felony, and the party ſo offending ſhall receive like trial and executions in ſuch county where ſuch perſon ſhall be apprehended, as if the offence had been committed in ſuch county where ſuch perſon ſhall be apprehended.

Abſence for ſeven years. III. *ſect.* 2. This act ſhall *not* extend to any perſon whoſe huſband or wife ſhall be continually remaining beyond the ſeas ſeven years together, or whoſe huſband or wife ſhall abſent him or herſelf the one from the other ſeven years together, within his Majeſty's dominions, the one of them not knowing the other to be living within that time.

Perſons divorced. IV. *ſect.* 3. This act ſhall *not* extend to any perſons that ſhall be at the time of ſuch marriage divorced by any ſentence had in the eccleſiaſtical court, or to any perſons where the former marriage ſhall be by ſentence in the eccleſiaſtical court declared to be void, nor to any perſons for any former marriage to be had or made within age of conſent.

No corruption of blood. V. *ſect.* 4. No attainder for this offence ſhall work any corruption of blood, loſs of dower, or diſinheriſon of heirs. *Eng. Stat.* 1 *Jac.* 1. *cap.* 11.

Proteſtant women. VI. *Stat.* 9 *Will.* 3. *cap.* 28. *ſect.* 1. If any proteſtant woman unmarried being heir apparent to her anceſtor, or having a ſole or joint eſtate in fee-ſimple, or in fee-tail, or being ſeized in fee-ſimple, or in coparcenary, or in common, or for life or lives, or being poſſeſſed of or intitled unto any beneficial intereſt for years, in any lands, &c in poſſeſſion, reverſion, or remainder, or being poſſeſſed of or intitled to any perſonal eſtate in law or equity to the value of five hundred pounds, ſhall take to huſband any perſon without having firſt obtained a certificate under the hand of the miniſter of the pariſh, biſhop of the dioceſe, and ſome juſtice of the peace living near the place, or any two of them, where ſuch perſon ſhall be reſident at the time of ſuch marriage, that he is a known proteſtant, which certificate ſhall alſo be atteſted under the hands of two credible witneſſes, and ſhall be granted without fee, from the time of ſuch marriage, ſuch proteſtant perſon ſo marrying, and the perſon ſhe ſhall ſo marry, ſhall be incapable of holding or enjoying any of the aforeſaid eſtates or intereſts, which ſuch proteſtant perſon ſo marrying ſhall or ought to have at the time of ſuch marriage.

Certificate to be obtained.

Eſtate veſted (2) And by ſuch marriage, all the ſaid eſtates and intereſts ſhall be veſted in the next proteſtant of the kin, to whom ſuch eſtate or intereſt would deſcend, were ſuch proteſtant woman, and all other intervening popiſh heirs, executors, or adminiſtrators really dead and inteſtate at the time of ſuch marriage.

Next of kin to enjoy. (3) And ſuch next proteſtant of the kin to whom the ſaid eſtates or intereſts ſhall come by ſuch marriage, ſhall have and enjoy all ſuch eſtates and intereſts in as beneficial a manner, as ſuch proteſtant woman might have held or enjoyed the ſame, in caſe this act had never been made.

Suit to recover. (4) And at any time after ſuch proteſtant women ſhall marry without ſuch certificate, it ſhall be lawful for ſuch proteſtant perſons to whom the ſaid eſtates or intereſts ſhall come by ſuch marriage, by any legal means to ſue for and recover the ſaid eſtates or intereſts, as if ſuch proteſtant perſons ſo marrying, and all other intervening popiſh heirs, executors, or adminiſtrators, were dead and inteſtate, and as if ſuch perſons who ſhall ſo ſue for and recover ſuch eſtates or intereſts, were intitled

tled thereto as heir, executor, or adminiſtrator, to ſuch proteſtant woman marrying as aforeſaid.

VII. *ſect.* 2. And if any ſuch proteſtant woman ſhall marry any ſuch perſon without ſuch certificate as aforeſaid, ſuch proteſtant perſons, and ſuch huſband as ſhe ſhall ſo marry, ſhall be incapable of being heir, executor, adminiſtrator, or guardian to any proteſtant. Incapable to be heir, &c.

Part of this clauſe which contains a proviſion for ſuch caſes, as ſubſiſted at the time of paſſing this act, where proteſtant women married to popiſh perſons had a title or were appointed to be guardians to any proteſtant is omitted, as it can have no further operation.

VIII. *ſect.* 3. In caſe any proteſtant miniſter, or popiſh prieſt, or other perſon, ſhall join in marriage any proteſtant woman, having any of the ſaid eſtates or intereſts, to any perſon without having ſuch certificate in writing as aforeſaid, ſuch proteſtant miniſter, popiſh prieſt, or other perſon, for every ſuch offence they ſhall ſo commit, being convicted thereof by their confeſſion, or by the verdict of a jury of the county wherein ſuch offence ſhall be committed, ſhall ſuffer one year's impriſonment, and forfeit twenty pounds, the one moiety thereof to the King, and the other moiety to the parties that will ſue for the ſame. Penalties on the miniſter or prieſt.

IX. *ſect.* 4. In caſe any proteſtant perſon ſhall marry any woman without having obtained a certificate in writing, under the hand of the miniſter of the pariſh, biſhop of the dioceſe, and ſome juſtice of the peace living near the place where ſuch woman ſhall be reſident at the time of ſuch marriage, or any two of them, of her being a known proteſtant, which certificate ſhall be atteſted by two credible witneſſes, and ſhall be granted without fee, ſuch perſon ſhall be in law deemed to be a papiſt, or popiſh recuſant, and ſhall be incapable of being heir, executor, adminiſtrator or guardian to any perſon, as alſo, be diſabled to ſit in either houſe of parliament, and rendered incapable of having or exerciſing any civil or military office or employment, unleſs ſuch perſon ſhall within one year after ſuch marriage, procure ſuch wife to be converted to the proteſtant religion, and ſhall obtain a certificate under the hand and ſeal of the biſhop of the dioceſe, or archbiſhop of the province, or chancellor of this kingdom, that ſhe hath renounced the popiſh religion, and is become a proteſtant, and ſhall procure the ſaid certificate to be inrolled in the court of chancery. Marrying without a certificate. Incapacities.

X. *ſect.* 7. In all caſes where a certificate is required by this act, that the perſon marrying is a known proteſtant, if any marriage ſhall be made without ſuch certificate, and it can afterwards be made appear by proof, that ſuch perſon was a known proteſtant, they ſhall not be liable to any forfeiture or penalties in this act. Not liable to penalties.

XII. *Stat.* 2 *Ann. cap.* 6. *ſect.* 5. If any proteſtant having any eſtate or intereſt real or perſonal within this kingdom, ſhall intermarry with any papiſt or perſon profeſſing the popiſh religion, either within this kingdom, or in any parts out of this kingdom, ſuch perſons being thereof convicted by indictment or information, ſhall be liable to and incur all the penalties and diſabilities in an act made in the ninth year of his late Majeſty's reign, *to prevent proteſtants intermarrying with papiſts*, as if ſuch proteſtants had actually intermarried with ſuch papiſts in any part of this kingdom, and the ſaid offence ſhall be tried in any county within this kingdom, wherein the offender hath any eſtate or chattles real, or in the city of Dublin. Marrying out of the kingdom. Trial in any county.

XII. *ſect.* 6. Provided that the certificate of a proteſtant miniſter by whom any perſon ſhall be married out of this kingdom, atteſted by a public notary, containing the Certificate by a notary.

the matter to be certified by the ſaid former act by the perſons therein mentioned ſhall be ſufficient, and in lieu of the certificate required by the ſaid former act.

Deluding heir to marry.

XII. *Stat.* 6 *Ann. cap.* 16. *ſect.* 3. If any perſon ſhall by any ſubtil means or ſecret inſinuations and deluſions, threats or menaces, perſuade or procure the ſon and heir apparent, or other ſon of any perſon having lands or hereditaments of the yearly value of fifty pounds, or perſonal eſtate of the value of five hundred pounds, or ſhall in manner aforeſaid, perſuade or procure the eldeſt, or any other ſon of any perſon deceaſed, to contract matrimony without the privity or conſent of the parents or guardians of ſuch ſon, and ſuch matrimony be had before ſuch ſon attain the age of twenty one years, every ſuch perſon contracting matrimony without the privity and conſent of ſuch parent or guardian, and in caſe there be no parent or guardian appointed, then of the lord chancellor, lord keeper or commiſſioners of the great ſeal,

Diſabled to have dower.

ſhall be diſabled to recover or demand any dower, thirds, or any other part of the real or perſonal eſtate of ſuch ſon, or demand any jointure or other proviſion out of the real or perſonal eſtate of ſuch ſon, made to or in truſt for her by any will, deed or ſettlement whatſoever.

Puniſhment of acceſſaries.

XIV. *ſect.* 4. All perſons who ſhall be acceſſaries, aiders, abettors or procurers, before the fact committed, in the ſeveral offences herein before mentioned, being lawfully convicted thereof, ſhall ſuffer three years impriſonment.

Deprivation of benefice.

XV. *ſect.* 5. If any perſon ſhall celebrate, or take upon him to celebrate any marriage of any ſuch perſons as aforeſaid, without conſent as aforeſaid, and be thereof convicted, ſuch perſon being a beneficed clergyman, ſhall be immediately after ſuch conviction *ipſo facto* deprived of all his eccleſiaſtical preferments, and the ſame are hereby declared to be from thenceforth void, nevertheleſs no lapſe ſhall incur on any ſuch avoidance, until the end of ſix months after notice given to the reſpective perſons of ſuch conviction, and ſuch clergyman ſo convicted, ſhall be incapable of any ſpiritual preferment or promotion in this kingdom.

Tranſportation.

(2) And every other perſon ſo offending and convicted as aforeſaid, ſhall be tranſported in ſuch manner as perſons exerciſing foreign juriſdiction, and popiſh regulars are appointed to be tranſported; and if ſuch perſon ſhall, after ſuch tranſportation return into this kingdom, he ſhall ſuffer all ſuch pains and penalties, as perſons exerciſing foreign juriſdiction and popiſh regulars tranſported, and after returning into this kingdom are ſubject unto.

Popiſh prieſt convicted.

XVI. *ſect.* 6. If any popiſh prieſt ſhall celebrate the marriage of any the perſons aforeſaid contrary to this act, or ſhall celebrate matrimony between any perſons knowing that at the time of ſuch marriage either of them is of the proteſtant religion, every ſuch popiſh prieſt ſo offending, and being thereof convicted, ſhall be judged to be a popiſh regular, and ſhall ſuffer all the pains, penalties, and forfeitures of a popiſh regular.

Knowledge to be preſumed.

XVII. *Stat.* 8 *Ann. cap.* 3. *ſect.* 28. To the end that no popiſh prieſt may pretend that he did not know either of the parties at any time married by him, to be of the proteſtant religion; if any popiſh prieſt ſhall be proſecuted for offending contrary to the ſtatute 6 *Ann. cap.* 16. and it doth appear that the perſons ſo married, or any one of them, were proteſtant at the time of the marriage, it ſhall be preſumed and concluded, that the ſaid popiſh prieſt ſo accuſed did celebrate matrimony between the ſaid perſons, knowing at the time of ſuch marriage, that they or one of them were of the proteſtant religion, unleſs the ſaid popiſh prieſt ſhall produce and prove certificates, under the hands and ſeals of the miniſters of the pariſhes, where the parties ſo married did at the time of the ſaid marriage reſpectively

tively inhabit or reſide, certifying that the ſaid perſons were not of the proteſtant religion at the time of the celebration of the ſaid marriage.

XVIII. *Stat.* 12 *Geo.* 1. *cap.* 3. *ſect.* 1. If any popiſh prieſt, or reputed popiſh prieſt, or perſon pretending to be a popiſh prieſt, or any degraded clergyman, or any layman pretending to be a clergyman of the church by law eſtabliſhed, ſhall celebrate, or take upon him to celebrate any marriage between two proteſtants or reputed proteſtants, or between a proteſtant or reputed proteſtant and a papiſt, ſuch popiſh prieſt or reputed popiſh prieſt, and ſuch degraded clergyman and layman pretending to be a clergyman, ſhall be guilty of felony without benefit of the clergy or of the ſtatute. Felony without clergy.

XIX. *ſect.* 2. It ſhall be lawful for any two juſtices of the peace, by warrants under their hands and ſeals, directed to any conſtable, to ſummon perſons ſuſpected to be married by ſuch popiſh prieſt or degraded clergyman, or layman pretending to be a clergyman of the church eſtabliſhed, or to have been preſent at the celebration of ſuch marriage, to appear before ſuch juſtices at the time and place in ſuch warrant mentioned, not being more than ten miles diſtant from their uſual place of abode, and to examine ſuch perſons upon oath, where and by what perſons, and with what form and ceremonies ſuch marriage was celebrated, and what religion the perſons ſo married profeſſed, and who were preſent at ſuch marriage. Summoning perſons ſuſpected.

XX. *ſect.* 3. If the perſons ſo ſummoned ſhall neglect to appear according to ſuch ſummons, or ſhall refuſe to be examined as aforeſaid, or after examination ſhall refuſe to enter into a recognizance to proſecute at the next aſſizes ſuch as ſhall appear by ſuch examination to have offended contrary to this act, ſuch perſons ſo neglecting to appear, having no lawful impediment, or refuſing to be examined, or to enter into recognizance as aforeſaid, ſhall be committed by the ſaid juſtices to the common gaol for three years, unleſs they ſhall ſooner ſubmit to be examined before the ſaid juſtices, or one of them, or in caſe of their abſence or refuſal before ſome other juſtice, and ſhall enter into a recognizance to appear at the next general aſſiſes to be held for the county where the offence was committed, to proſecute ſuch perſons as ſhall appear by ſuch examination to have offended contrary to this act, in which caſe it ſhall be lawful for ſuch juſtice of the peace by warrant directed to the gaoler to diſcharge ſuch perſons from their commitment. Refuſing to appear.

XXI. *ſect.* 4. No ſuch examination ſhall ſubject the party examined, to any proſecution, penalty or forfeiture whatſoever, or be admitted to be given in evidence againſt the perſon ſo examined, unleſs ſuch perſon ſhall be indicted for having committed wilful perjury in ſuch examination. Examination not to be given in evidence.

XXII. *ſect.* 5. No contract of marriage only, not conſummate by the carnal knowledge of the parties, ſhall be of any force towards making void a ſubſequent marriage conſummated by ſuch carnal knowledge. Contracts not conſummated.

XXIII. *ſect.* 6. Whereas by an act made in the reign of King Charles the firſt, *for the reſtraining of all perſons from marriage till their former wives and former huſbands be dead, it is enacted, that if any perſon being married do marry any perſon, the former huſband or wife being alive, ſuch offence ſhall be felony*; if any perſon convicted of ſuch offence ſhall claim the benefit of clergy, or of the ſtatute, and ſuch claim ſhall be allowed, ſuch perſon inſtead of being burned in the hand ſhall be ordered to be tranſported to ſome of his Majeſty's plantations in America, and ſhall be tranſported in ſuch manner as perſons convicted of a capital felony. Convicts for bigamy.

XXIV. *Stat.* 9 *Geo.* 2. *cap.* 11. *ſect.* 1. All marriages and matrimonial contracts where either of the parties are under the age of twenty one years, had without the conſent of the father, if living, in writing under his hand firſt obtained, or Marriages of minors.

if dead, of the guardian obtained in the ſame manner, or of the lord chancellor or keeper of the great ſeal, in caſe no guardian be appointed, ſhall be void, and ſhall not be adjudged by any ſpiritual court as contracts or marriages, if either of the parties marrying or contracting marriage without ſuch conſent, and being under the age of twenty one years, be intitled to any real eſtate of the value of one hundred pounds *per annum*, or to any perſonal eſtate to the value of five hundred pounds, or if the father or mother of ſuch party ſo marrying under age, be in poſſeſſion of any real eſtate of the value of one hundred pounds *per annum*, or of any perſonal eſtate of the value of two thouſand pounds.

Value of eſtate.

Commencement of Suit.

XXV. *ſect.* 2. It ſhall be lawful for the father or guardian of any perſon who ſhall marry or be contracted in marriage, when under the age of one and twenty years, or if there be no father or guardian for any perſons, to be appointed by the lord chancellor or the lord keeper of the great ſeal for that purpoſe, to commence a ſuit in the proper eccleſiaſtical court, in order to diſannul ſuch marriage or matrimonial contract, which ſuit, when commenced, ſhall be proſecuted with effect, and if it appears in the ſaid ſuit by proper proof that either of the parties ſo marrying or contracting to marry, was at the time of ſuch marriage or matrimonial contract, under the age of one and twenty years, ſuch marriage or matrimonial contract ſhall be declared and adjudged by the eccleſiaſtical court where ſuch ſuit is commenced, to be abſolutely void.

Expiration of a year.

XXVI. *ſect.* 3. If no ſuch ſuit be commenced within one year after the ſolemnization of ſuch marriage, or the making of ſuch matrimonial contract, ſuch marriage or matrimonial contract ſhall, from the expiration of the ſaid year, be good and valid.

Perſons marrying minors.

XXVII. *ſect.* 4. If any perſon of the full age of one and twenty years, ſhall marry, or contract to marry any perſon under the ſaid age, without ſuch conſent as aforeſaid, ſuch perſon being of full age ſhall forfeit five hundred pounds, in caſe the perſon ſo married or contracted to be married when under the age of one and twenty years, ſhall be poſſeſſed of, or intitled unto real or perſonal eſtate of the value of ten thouſand pounds.

Two hundred pounds.

(2) But in caſe the perſon ſo married or contracted to be married, when under the age of one and twenty years, ſhall not be poſſeſſed of, or intitled unto real or perſonal eſtate of the value of ten thouſand pounds, then the perſon being of full age ſo marrying, or contracting to marry a perſon under the ſaid age, ſhall forfeit only two hundred pounds.

Recovery by bill.

(3) Which reſpective ſums ſhall be recovered by bill, &c. in any of his Majeſty's courts of record, and one moiety of the ſaid forfeitures ſhall be to the uſe of his Majeſty, and the other moiety to the uſe of them who ſhall ſue for the ſame.

Impriſonment for a year.

(4) And if any perſon being of full age, ſhall be legally convicted in any ſuch ſuit, of marrying or contracting to marry a perſon under the ſaid age of twenty one years, ſuch perſon ſhall likewiſe be impriſoned in the common gaol of the county or place where ſuch offence is committed for one year.

Proſecution in one year.

XXVIII. *ſect.* 5. No ſuch forfeiture or penalty ſhall be incurred, unleſs the proſecution be commenced within one year after the fact committed.

Banns between a proteſtant and papiſt.

XXIX. *ſect.* 6. No miniſter ſhall, knowingly in any church or chapel, where divine ſervice is celebrated according to the uſage of the church of Ireland, publiſh the bands of matrimony between any perſons, whereof one is of the proteſtant, and the other of the popiſh religion, nor without a certificate from three credible perſons of the pariſhes where ſuch banns are publiſhed, that the parties ſo intending to marry are both of the proteſtant, or both of the popiſh religion, and every miniſter

miniſter offending herein, ſhall be liable to ſuch eccleſiaſtical cenſure, as he would have been by the eccleſiaſtical laws for celebrating a clandeſtine marriage.

XXX. *ſect.* 7. Nothing herein contained ſhall be conſtrued to leſſen or take away any of the penalties or diſabilities inflicted againſt any perſons who contract, celebrate, or are preſent at any clandeſtine marriage, by any of the laws now in force. Clandeſtine marriages.

XXXI. *Stat.* 11 *Geo.* 2. *cap.* 10. *ſect.* 3. Proteſtant diſſenters who have entered, or ſhall enter into matrimonial contracts [*in their own congregation before their miniſters or teachers, and thereupon live together as huſband and wife*] ſhall not be proſecuted in any eccleſiaſtic court, *ex officio mero*, or on the preſentment of any miniſter or church-wardens, for their entering into ſuch contracts, or living together as huſband and wife by virtue of ſuch contract, provided ſuch diſſenters and miniſter, or teacher have *taken*, or ſhall take the oaths, and ſubſcribe the declaration according to 6 *Geo.* 1. *cap.* 5. Marriages of diſſenters.

XXXII. *Stat.* 19 *Geo.* 2. *cap.* 13. *ſect.* 1. Every marriage that ſhall be celebrated after the firſt day of May 1746, between a papiſt and any perſon who hath been, or who hath profeſſed him or herſelf to be a proteſtant at any time within twelve months before ſuch celebration of marriage, or between two proteſtants if celebrated by a popiſh prieſt, ſhall be abſolutely null and void, without any proceſs, judgment, or ſentence of law whatſoever. Marriages of proteſtant by a popiſh prieſt.

XXXIII. *ſect.* 3. The act of the ninth of his preſent Majeſty, *cap.* 11. and this preſent act, ſhall be read once in every year in all pariſh churches and all public chapels and other places of public worſhip, by the parſon, vicar, or curate of the reſpective pariſhes or chapels, immediately after morning prayers, and in open court at every general quarter-ſeſſions of the peace. To be read in church.

XXXIV. *Stat.* 23 *Geo.* 2. *cap.* 10. *ſect.* 1. It ſhall be lawful for the father or guardians of ſuch infant who ſhall marry without ſuch conſent *as is required* by *Stat.* 9. *Geo.* 2. *cap.* 11. and *where* the parties entring into the ſame, or either of them, ſhall leave this kingdom or abſcond, by which means it may be difficult to ſerve proceſs in a ſuit to be inſtituted for annulling ſuch marriage or matrimonial contract, or in ſuch caſe, if there be no father or guardian, for any perſon to be appointed by the lord chancellor, the keeper or commiſſioners of the great ſeal for that purpoſe, within one year after ſuch marriage or matrimonial contract, to file an allegation in the eccleſiaſtical court of the dioceſe where ſuch infant was uſually reſident before his or her going out of this kingdom, or entring into ſuch marriage or matrimonial contract, in the ſame manner as if the neceſſary parties had appeared in a ſuit inſtituted in the ſaid court, to annul ſuch marriage or matrimonial contract. Filing an allegation.

(2) Which eccleſiaſtical court ſhall thereupon iſſue proceſs, to compel the perſons ſo marrying or entring into ſuch matrimonial contract to appear in the ſaid court within a time therein to be limited, and ſhall have full power to proceed to hear and determine the ſaid cauſe, in the ſame manner as if the parties thereto were reſident, and the ſaid marriage or matrimonial contract entered into, within the ſaid dioceſe, if it ſhall appear by affidavit that ſuch proceſs was ſerved in the uſual manner on the ſaid parties, whether in this kingdom, or in any parts out of this kingdom. Proceſs to appear.

(3) And if it ſhall appear in the ſaid ſuit by proper proof, that the ſaid marriage or matrimonial contract was contrary to the ſaid act, ſuch marriage or matrimonial contract ſhall be adjudged and declared by the eccleſiaſtical court, where ſuch ſuit ſhall be commenced, to be abſolutely null and void. Adjudged void.

Marriages.

Suit by guardians.

XXXV. *ſect.* 2. In caſe the father or guardian of any infant, who ſhall marry or enter into ſuch matrimonial contract, without ſuch conſent as aforeſaid, ſhall happen to die or be removed before the commencement of a ſuit for diſſolving ſuch marriage or matrimonial contract purſuant to this and the ſaid former act, it ſhall be lawful for ſuch perſons as ſhall after become guardians to ſuch infant, or for ſuch perſons who ſhall be for that purpoſe appointed by the lord chancellor, or lord keeper of the great ſeal, to commence and proſecute a ſuit for annulling ſuch marriage or matrimonial contract in manner as herein before, and in the ſaid former act is directed.

Death of father or guardian.

(2) And in caſe after the commencement of any ſuit for annulling any marriage, or matrimonial contract purſuant to this or ſaid former act, the father or guardian, or perſon appointed to commence or proſecute ſuch ſuit, ſhall happen to die or be removed before the ſame ſhall be finally determined, ſuch ſuit ſhall not abate, but ſhall remain in the ſame plight and condition as it was at the time of ſuch death or removal, and ſhall be afterwards carried on in the names of ſuch perſons as ſhall become guardians to ſuch infant, or who ſhall be appointed by the lord chancellor, or lord keeper or commiſſioners of the great ſeal, to carry on and proſecute the ſame, in the ſame manner as it might have been proſecuted by the perſons who commenced ſuch ſuit.

Prieſt guilty of felony.

XXXVI. *ſect.* 3. Every popiſh prieſt or reputed popiſh prieſt, who after the firſt day of May 1750, ſhall celebrate any marriage contrary to the act 12 *Geo.* 1. *cap.* 3. and be thereof convicted, ſuch popiſh prieſt ſhall be guilty of felony without benefit of clergy or of the ſtatute, although the marriage ſo celebrated by ſuch popiſh prieſt be declared null and void by the act, 19 *Geo.* 1. *cap.* 3.

Mears and bounds.

Fencing lands.

I. *Stat.* 8 *Geo.* 1. *cap.* 5. *ſect.* 1. If any proprietor or tenant of lands, ſhall be deſirous to make fences between their lands and holdings, and the lands contiguous thereto, where no diſpute then ſhall be, or have been for three years then laſt paſt about the mears between the ſaid lands, and where no ſufficient fences, or only dead fenceleſs ditches then ſhall be, the proprietors or tenants of ſuch neighbouring lands, on requeſt, ſhall be obliged to be at equal expence in making between ſuch ſeveral lands, ditches of ſix foot wide and five foot deep at leaſt where the ſame is practicable, well quicked in good huſbandlike manner with white-thorn, crab, or other quickſets where the ſame will grow, and in ground where ſuch quickſets will not grow, with furz, and where furz will not grow, or where ditches cannot be made of the ſaid depth and wideneſs, inſtead of a ditch with a dry ſtone wall where ſtones can be conveniently had, and where ſtones cannot be conveniently had, with a mud wall not under five foot high, and two foot and a half thick at the bottom, and one foot and a half thick at the top, and in wet low ground with ſufficient trenches or drains, the banks thereof to be planted with ſallows, alder, or other aquatic trees where ſuch aquatics will grow.

Refuſing to aſcertain bounds.

(2) And if any proprietor or tenant of any neighbouring lands, ſhall refuſe to aſcertain the mears and bounds between their lands, and the lands of ſuch perſons requiring the ſame, in order to have fences made, ſuch proprietor or tenant ſhall be compellable by bill in equity or commiſſion of perambulation, to aſcertain the mears and bounds between his or her lands, and the lands of the perſons requiring ſuch fence to be made, and ſuch neighbouring proprietors or tenants, ſhall join and be at equal expence in making, preſerving and repairing ſuch fences as aforeſaid, with ſuch proprietor or tenant of the neighbouring lands requiring the ſame.

(3) And

(3) And if ſuch neighbouring proprietor or tenant refuſe, or for the ſpace of one whole year neglect ſo to do, it ſhall be lawful for the proprietor or tenant of ſuch neighbouring lands requiring the ſame, to make the ſaid ditches, wall, or other fence as aforeſaid, and the tenants or occupiers of ſuch neighbouring lands, ſhall be anſwerable for, and ſhall pay to the perſons who ſhall cauſe the ſame to be made, one full moiety of what they ſhall reaſonably and without fraud or malice lay out in making ſuch fences, and in planting ſuch quickſets, and weeding and ſecuring the ſame as aforeſaid, with legal intereſt for ſuch moiety of ſuch ſum ſo laid out, to be recovered by action of debt in any court of record, or if the ſum expended be under ten pounds, then by civil bill before the juſtices of aſſiſe for the county or liberty where ſuch fences ſhall be made, and in the county of Dublin before the juſtices of the peace at their general quarter-ſeſſions, with treble coſts. Refuſing to make fences.

II. *ſect.* 2. Provided that there ſhall not be demanded above one ſhilling and ſix pence *per* perch of ſuch ſtone or other wall of the height and thickneſs aforeſaid, or above one ſhilling *per* perch for ſuch ditch or other fence made and planted as aforeſaid. Charge of making.

(2) And if after ſuch ditches and fences are made, the perſons whoſe lands the ſame lie on, and who ought to keep up the ſame, do not weed ſuch quickſet and preſerve ſuch fences, or his part thereof as they ought to do, the perſons ſo neglecting to weed ſuch quickſets, and to mend, preſerve and keep up his part of the ſaid fence, ſhall have no remedy for any involuntary treſpaſs committed by the *cattle* of the proprietor or tenant of any the neighbouring lands, or occaſioned by their default in mending, preſerving or keeping up their part of ſuch fences. Weeding quickſets.

III. *ſect.* 3. Every perſon compellable by this act to ditch and fence as aforeſaid, or to pay for the ſame, who ſhall not have an eſtate for life, or eleven years in their lands to be fenced, at the time the proprietor or tenant of the neighbouring lands, ſhall requeſt him or her to ditch or fence as aforeſaid, ſuch tenant ſhall deduct out of the rent due to their leſſor what they ſhall ſo expend, and ſuch leſſor ſhall allow the ſame, ſuch tenants firſt proving on oath before the juſtices of the peace of the county where ſuch lands lie, at their general quarter-ſeſſions what they ſo expended. Deduction out of rent.

IV. *ſect.* 4. No tenant or farmer for life or years ſhall be obliged to ditch or fence above one fifth part of their lands or holdings in any one year. Fifth part in one year.

V. *ſect.* 5. The perſons whoſe lands are contiguous, and to be bounded by a fence between them as aforeſaid, are hereby enabled by conſent of the tenants of ſuch lands, and the immediate proprietor thereof in reverſion expectant on the leaſe then in being, appearing by writing under hand and ſeal, atteſted by three credible witneſſes, to make the boundaries in ſtraight lines in more convenient places, and to exchange the lands on one ſide of ſuch ſtraight line or fence for the lands of equal value on the other ſide, ſo as ſuch reverſioner be ſeized of the lands which he ſhall grant in exchange, at the leaſt for the term of his own life, with remainder to the ſons of his body begotten in tail male. Boundaries in ſtraight lines.

(2) And if the lands left on one ſide of ſuch ſtraight line or fence, ſhall be of a greater value than the lands *taken* in on the other ſide thereof, the proprietor to whom the greater proportion ſhall fall, ſhall be enabled to charge the ſame with a perpetual rent-charge ſufficient to countervail ſuch difference, which rent-charge ſhall go to ſuch perſons, and for ſuch eſtate, and for the ſame uſes as the land ſo charged ought to have gone, and the lands received in exchange ſhall go to ſuch perſons, and for ſuch eſtate, and for the ſame uſes as the lands given in exchange ought to have gone, provided that no houſe, garden, orchard, wood or grove, be included in ſuch lands ſo to be exchanged. Charge on lands.

VI. *ſect.*

Exchanges binding.

VI. *ſect.* 6. All ſuch exchanges or agreements ſhall be binding to all perſons, any deviſe, ſettlement or limitation of uſe to the contrary notwithſtanding, provided the lands ſo exchanged do not exceed two acres plantation meaſure in every one hundred perches of ſuch line or fence, each perch containing twenty one foot.

Refuſing to fence or plant.

VII. *ſect.* 7. In caſe any perſon ſhall refuſe to fence or plant according to this act, ſo as in default of ſo doing, the proprietor or tenant of the adjoining land ſhall fence and ditch between his land and the neighbouring lands, the perſons ſo fencing may aſcertain and ſet out an equal proportion of ſuch fence, which the occupiers of the adjoining lands ſhall be obliged to keep in good repair as his part of the ſaid fence, and to weed and preſerve the quickſets if any planted thereon.

Covenants of tenants.

VIII. *ſect.* 8. Nothing herein contained ſhall extend to avoid any covenants between landlord or tenant for draining and incloſing lands.

Bonds to preſerve fences.

IX. *ſect.* 9. Where the landlords are obliged to allow their tenants for ditching or fencing between their holdings and their neighbours as aforeſaid, ſuch tenants to whom ſuch allowance ſhall be made, ſhall at the time of making ſuch allowance give ſecurity by their own bonds, of the penalty of the whole ſum ſo allowed to ſuch landlords, conditioned for the due weeding of ſuch quickſets planted, and the preſerving the ſaid fences, for which they ſhall be ſo allowed during their terms in the ſaid lands, in good tenantable condition, and in caſe of refuſal to give ſuch bond, ſuch tenant ſhall not have the benefit of ſuch allowance.

Two ſhillings an acre.

X. *ſect.* 10. Nothing in this act contained ſhall oblige any proprietor or tenant of lands to fence or ditch between any lands, whereof the plantation acre ſhall not at the time when requeſt ſhall be made for the doing thereof, be worth and really pay the landlord two ſhillings *per annum* over and above quit or crown rent.

Twentieth part of rent.

XI. *ſect.* 11. Provided alſo, that no proprietor or leſſor of ſuch lands ſhall be obliged to pay or allow in any one year for fencing in purſuance of this act, more than the twentieth part of the annual rent payable out of ſuch land, and that the tenants ſhall not be obliged to expend more in any one year in making ſuch fences, than the twentieth part of their rent.

Ten acres of land.

XII. *ſect.* 12. No proprietor or occupier of land, ſhall by virtue of this act be obliged to fence in or incloſe any parcel of ground in any one incloſure, which ſhall not contain ten acres plantation meaſure, with a fence of above ſix feet wide, and five feet deep, and the moſt uſual paſſages to and from intermixed lands ſurrounded by other proprietors, ſhall be left open as formerly.

Agreement in writing.

XIII. *ſect.* 13. No mears between lands belonging to ſeveral proprietors incloſed by virtue of this act, ſhall be concluſive, ſo as finally to ſettle the mears and bounds between ſuch lands, unleſs the proprietors of the ſaid lands do agree to the ſame in writing under their hands and ſeals atteſted by three credible witneſſes, before or after the time of ſuch fencing or bounding, or ſhall ſuffer the ſaid mears to ſtand for five years after the determination of ſuch leaſes of the ſaid lands as ſhall be then in being.

Caſes of diſability.

(2) And in caſe of infancy, *coverture*, being beyond ſea, or of *inſane memory*, or where a remainder ſhall be claimed by any ſettlement or will, five years after attaining the age of one and twenty years, becoming *diſcovert*, returning from beyond ſea, or becoming of *ſane memory*, or after ſuch remainder ſhall take place.

Contigous to bogs.

XIV. *Stat.* 5 *Geo.* 2. *cap.* 9. *ſect.* 1. Where any perſons ſhall be poſſeſſed of lands contiguous to any bog, moſs, or lough, or to ground between the flux and reflux of the ſea, and ſhall be deſirous to aſcertain the mears and bounds thereof, with the proprietors of the other lands adjoining to or on the other ſides of the

ſame,

ſame, ſuch perſons may exhibit an Engliſh petition in chancery, or in *the* exchequer, againſt the proprietors of the other parts of ſuch bog, moſs, lough or ground, or of the lands adjacent to the ſame, deſiring ſuch mears and bounds to be aſcertained as aforeſaid.

Jury to aſcertain bounds.

(2) And upon proof made by affidavit of ſuch proprietors, and the tenants in poſſeſſion being perſonally ſerved with copies of ſuch petition thirty days before the time appointed for hearing thereof, it ſhall be lawful for the court to iſſue a commiſſion to ſeven or more commiſſioners, for which the like fees ſhall be paid as for a commiſſion to examine witneſſes, requiring ſuch commiſſioners, or any five of them, by examination of witneſſes upon oath, and by the verdict of a jury of twelve men, to be returned on the precept of ſuch commiſſioners, by the ſheriff of the county in which ſuch lands lie, or if they lie in two counties, then one moiety of ſuch jury to be returned out of each of ſuch counties by the ſeveral ſheriffs thereof, to inquire of, and aſcertain the old mears and bounds of ſuch bog, &c. or ground between the flux and reflux of the ſea, if there be any ſuch.

Laying out mears.

(3) But if no ſuch old mears and bounds appear to them, then to lay out and aſcertain ſuch mears and bounds between the petitioners and other proprietors in the petition mentioned, regard being had to the length of the profitable land adjoining to ſuch bog, &c. or ground belonging to ſuch ſeveral proprietors, as to the major part of them ſhall ſeem reaſonable.

Drains for water.

(4) And where a drain ſhall be neceſſary to carry off the water from ſuch bog, moſs or lough, the ſaid commiſſioners, or the major part of them, ſhall lay out and aſcertain the ſame, and the length, breadth, and depth of ſuch drain, and likewiſe appoint what proportion thereof ſhall be made by the ſeveral proprietors, with regard to the benefit that each of them may receive thereby.

Returns of commiſſioners.

(5) And whatever ſhall be done by virtue of ſuch commiſſion, the ſaid commiſſioners, or the major part of them, ſhall return under their hands and ſeals into the court, out of which ſuch commiſſion iſſued; whereupon ſuch court ſhall make ſuch orders for confirming, altering or amending ſuch return, or may ſet aſide the ſame, and iſſue a new commiſſion as to ſuch court ſhall ſeem juſt.

Order of court conclusive.

(6) But if no complaint be made to the court out of which ſuch commiſſion iſſued againſt ſuch return, within thirty days after the filing thereof, in caſe the ſame be filed in term time, or in the next term after the filing thereof, in caſe the ſame ſhall be filed in vacation, ſuch return ſhall be confirmed, and ſuch return confirmed, altered or amended by the court, and any order thereupon made, ſhall be concluſive to all the parties to the ſaid proceedings, and all perſons deriving any intereſt in the ſaid lands, from them or either of them.

Challenge to jurors.

XV. *ſect.* 2. Provided that no leſs than twenty four men ſhall be returned, out of which ſuch jury may be taken, and that all the ſaid parties may have their lawful challenges to the perſons ſo returned, as in caſes of trials in actions at law.

Proportion of expences.

XVI. *ſect.* 3. If any of the ſaid proprietors, after three months notice in writing given to them, ſhall neglect ſufficiently to make their proportion of ſuch drain, according to the order of ſuch commiſſioners, it ſhall be lawful for the other proprietors to make ſuch drain, and then to ſue ſuch proprietors neglecting to make their part by civil bill, at the aſſiſes for the county in which ſuch drain, or any part thereof lieth, or at the quarter-ſeſſions if in the county of Dublin, for ſuch ſums as their proportion of ſuch drain to be made ſhall amount unto.

Value allowed.

XVII *ſect.* 4. No one proprietor ſhall be liable to pay more than one ſhilling and ſix pence for each perch containing twenty one feet in length of ſuch drain, or be compelled to pay more than ten pounds in the whole, towards making ſuch drain in any one year.

XVIII. *ſect.*

Weirs and bounds.

Sums to be repaid.

XVIII. *ſect.* 5. If ſuch proprietors who ſhall make ſuch drain, or againſt whom any ſums of money ſhall be recovered on account thereof as aforeſaid, be only tenants for life or years, ſuch tenants after the determination of their reſpective eſtates, and their reſpective executors, adminiſtrators and aſſigns, ſhall hold ſuch bogs, moſs or lough, or ground taken in from the ſea, until they ſhall out of the yearly iſſues and profits thereof be paid the ſums following, that is to ſay.

Under ſeven years.

(2) If ſuch proprietor at the time of filing the return on the ſaid commiſſion, be poſſeſſed of a term leſs than ſeven years, then until he be paid all ſuch ſums as he ſhall have ſo expended, or *have* been recovered againſt him as aforeſaid; but if at ſuch time he hath a term unexpired of ſeven years, then until he receive three parts in four of ſuch ſums.

Tenant for one life.

(3) But if at ſuch time ſuch proprietor be a tenant for one life, or by the courteſy or in dower, or have a term of fourteen years unexpired, then until he or ſhe receive two parts in three of ſuch ſums.

Two lives,

(4) But if he have a term for two lives, or for twenty one years unexpired, then until he be paid one fourth part of ſuch ſums expended or recovered as aforeſaid.

Three lives, or 31 years.

(5) But if at ſuch time he hath a term for three lives, or for thirty one years unexpired, or any greater term than thirty one years, or three lives, ſuch proprietor ſhall have no payment or allowance upon account of the ſaid drain when ſuch eſtate is determined.

Militia.

Commiſſions of array.

I. *Stat.* 2 *Geo.* 1. *cap.* 9. *ſect.* 1. His Majeſty, his heirs, and ſucceſſors, or the chief governors of this kingdom, may iſſue forth commiſſions of lieutenancy and array to ſuch proteſtants as his Majeſty, or ſuch chief governors ſhall think fit, to be his Majeſty's lieutenants, governors, and commiſſioners of array for the ſeveral counties, cities, and places of Ireland, which lieutenants, &c. or the major part of them, may call together all ſuch perſons being proteſtants, at ſuch times, and arm and array them in ſuch manner, as hereafter is declared, and to form them into companies, troops, and regiments, and in caſe of inſurrection, rebellion or invaſion, may cauſe them to be led, or employed, into any place in this kingdom, according as they receive directions from his Majeſty, or the ſaid chief governors.

Commiſſion officers.

(2) And his Majeſty, or the ſaid chief governors may give commiſſions to ſuch perſons as they ſhall think fit, to be colonels and other commiſſion officers of the ſaid perſons ſo to be arrayed and armed, and the ſeveral lieutenants and governors ſhall preſent to his Majeſty, or to the chief governors, the names of ſuch perſons as they ſhall think fit to be their deputies, and in caſe ſuch perſons ſhall be approved of, they ſhall give them deputations accordingly.

Authorities granted.

II. *ſect.* 2. Provided that his Majeſty or the chief governors may order otherwiſe, and at pleaſure may put in or diſplace ſuch lieutenants, deputy-lieutenants, and officers, and that the lieutenants, governors, or deputies, or the major part of them aſſembled, being three at leaſt, may command the ſeveral officers of the ſaid militia, to train, exerciſe, and put in readineſs, and alſo lead and conduct, the perſons ſo to be arrayed and armed by the directions and to the intent hereafter declared.

Raiſing money.

III. *ſect.* 3. It ſhall be lawful for the governors, lieutenants, deputy-lieutenants, or commiſſioners of array, or the major part of them, as often as any invaſion, inſurrection, or rebellion ſhall happen, towards the ſupport of the ſaid militia when

in

in actual ſervice, to ſuppreſs and oppoſe ſuch invaſion, &c. to raiſe ſuch ſums of money to be rateably applotted upon the inhabitants and proprietors of land, in their ſeveral counties and cities, in ſuch manner and proportion as other county charges are aſſeſſed, not exceeding 6*d.* for each footman, nor more tham 12*d.* for each horſeman and dragoon, for each day they ſhall be in ſuch ſervice, which ſums ſo applotted and raiſed ſhall be paid by the ſeveral tenants and occupiers of the land, and one moiety thereof ſhall be allowed the tenants or occupiers, by the landlords mediate and immediate, in proportion to the clear rents received by each of them.

Double charge on papiſts.

IV. *ſect.* 4. The ſaid lieutenants, &c. and commiſſioners of array, or the major part of them, may raiſe upon the popiſh inhabitants, and upon every perſon who ſhall refuſe to take the oath of abjuration, which oath every juſtice of peace is impowered to tender, double the ſum they ſhould have paid by virtue of this act, in caſe they had been proteſtants, and had taken the oaths appointed by ſeveral acts of parliament in Great Britain and this kingdom.

Pay as to the ſtanding forces.

(2) And in caſe of ſuch invaſion, &c. whereby occaſion ſhall be to draw out ſuch militia into actual ſervice, out of their counties and places as aforeſaid, then immediately after ten days time, the ſaid officers and private men may be muſtered by the commiſſaries appointed for muſtering the ſtanding army, and ſhall be paid during ſuch time as they ſhall be in actual ſervice, the ſame pay as is allowed the ſtanding forces in this kingdom, which pay ſhall iſſue out of his Majeſty's publick treaſury, in the ſame manner as it is paid to the ſtanding forces.

Carriages and horſes.

V. *ſect.* 5. The ſaid lieutenants, &c. and commiſſioners of array, or the major part of them, or the chief officers upon the place, may take and provide carriages and horſes for the carrying powder, bullets, and other materials, in the ſame manner, and allowing the ſame rate *per* mile outwards only for each horſe to every ſuch carriage, as are taken upon the marching of any regiment, company or troop of the ſtanding army, the ſame to be paid as by *Stat.* 6 *Ann. cap.* 14.

Mutiny puniſhable.

(2) And the ſaid lieutenants, &c. or the chief officers upon the place, may impriſon all mutineers, as well officers as private men, or thoſe who do not do their duty at the day of their muſters and training and other the aforeſaid ſervice, and may inflict for puniſhment for every ſuch offence any pecuniary mulct not exceeding 5*s. per diem*, or the penalty of impriſonment, not exceeding one calendar month.

Levying money aſſeſſed.

VI. *ſect.* 6. If any perſon ſo to be aſſeſſed ſhall refuſe or neglect by a reaſonable time appointed by the ſaid lieutenants, &c. and commiſſioners of array, to pay ſuch ſums of money ſo to be aſſeſſed as aforeſaid, then the ſaid lieutenants &c. or the major part of them aſſembled, not being leſs than three, for every ſuch offence, by warrant under the hands and ſeals of the commiſſioners then aſſembled, or the major part of them, not being leſs than three, of which the governor or one of the deputy-lieutenants ſhall be always one, may levy ſuch ſums of money, by diſtreſs and ſale of the goods of the offender, rendering the overplus to the party ſo diſtrained, all neceſſary charges in levying thereof being firſt deducted, to be applied to the uſe of ſuch troop or company whereunto the offender did belong, in ſuch manner as the ſaid lieutenants, &c. *and* commiſſioners of array, or the major part of them, ſhall direct.

Imbezeſſing arms, &c.

VII. *ſect.* 7. If any perſon to be arrayed and armed, ſhall detain or wilfully imbezel the horſe, ammunition, arms, furniture, or any cloths, with which he ſhall be intruſted for the ſervice of the militia, it ſhall be lawful for the lieutenants, governors, and commiſſioners of array, to impriſon him till ſatisfaction made for the ſame.

Inliſting men.

VIII. *ſect.* 8. It ſhall be lawful for the commiſſioners of array in their reſpective counties, or the major part of them aſſembled, not being leſs than three, to array and inliſt all ſuch proteſtants between the ages of ſixteen and ſixty, as they ſhall think fit.

Refuſing to be arrayed.

(2) And upon complaint that any ſuch proteſtant neglects or refuſes to be arrayed or inliſted, or to find a ſufficient man qualified according to this act, to be approved of as herein after is mentioned to ſerve in his ſtead, it ſhall be lawful for the lieutenants, &c. and commiſſioners of array, or the major part of them, after due ſummons ſerved on ſuch perſons, and refuſal, to commit the ſaid perſons until they being arrayed ſhall appear and enter into the ſervice, and inliſt or find ſuch perſons in their ſtead as aforeſaid.

Not appearing on ſummons.

(3) And if ſuch perſons after being arrayed and inliſted ſhall not appear at the uſual ſummons, at the place appointed for rendezvous, the commanding officer of each troop and company, may inflict a penalty on every horſeman or dragoon not exceeding 5*s.* and on every footman 2*s.* 6*d.* for each day they ſhall neglect to attend the ſervice, and in default of payment may impriſon ſuch perſons for ten days.

Appointing clerks.

IX. *ſect.* 9. The lieutenants, &c. and commiſſioners of array, or the major part of them, may appoint treaſurers or clerks for receiving and paying all money levied by virtue of this act, for the uſe of the militia, who ſhall give ſufficient ſecurity before the lieutenants, &c, to account for all ſuch ſums of money as they ſhall receive or diſburſe, and ſhall every ſix months give their accounts in writing upon oath to the lieutenants, &c. who may adminiſter the ſame.

Accounts to be certified.

(2) And the ſaid accounts ſhall be forthwith certified to the chief governor and privy council, and a duplicate thereof ſhall be certified to the juſtices of peace at the next general quarter ſeſſions.

Gratuities to the clerks.

(3) And the treaſurer or clerk ſhall be paid ſuch gratuity by the ſaid lieutenants, &c. as they ſhall think fit, not exceeding 6*d.* *per* pound for all ſuch ſums of money they ſhall receive and diſburſe.

Times for muſtering.

X. *ſect.* 10. The ordinary times in every year for exerciſing and muſtering the militia raiſed by virtue of this act, ſhall be the firſt Monday after the 25th of March, the firſt of May, Tueſday in Whitſun-week, and the 24th of June, and if the ſaid firſt of May or 24th of June ſhall happen to fall on the Lord's day, then the militia are not to be exerciſed on that day, but on the day following.

Seizing horſes.

XI. *ſect.* 11. It ſhall be lawful for the chief governor and council when it is needful, by proclamation to command all civil officers to ſeize any horſes, &c. belonging to any papiſt or perſon refuſing to take the oath of abjuration, fit to mount an horſeman or dragoon in the militia, except breeding mares, ſtallions, and horſes under four years old, and the ſame to detain for ten days.

Tender of five pounds.

(2) During which time it ſhall be lawful for any perſon ſerving in the militia to tender and pay 5 l. to ſuch perſon ſeizing or having ſuch horſe in his cuſtody, to be paid over to the former owner, deducting thereout the charge of ſeizing and keeping ſuch horſe, and on payment of the ſaid ſum, the property of ſuch horſe ſhall veſt in ſuch perſon ſerving in the militia; but if no ſuch ſum ſhall be offered within the time aforeſaid, ſuch horſe ſhall be returned to the owner, paying for the ſeizing and keeping the ſame.

Delivering up horſes or arms.

XII. *Sect.* 12. Upon proof made on oath, before any juſtice of peace where ſuch papiſt or nonjuring perſon reſides, that any papiſt or nonjuror had at the time ſuch proclamation iſſued or a month before in his actual poſſeſſion, any horſes, mares, or geldings, fit to mount an horſeman or dragoon in the militia, or any ſwords, bayonets

fire

fire or other arms, ſuch papiſt or nonjuror, ſhall on demand made by any civil magiſtrate, or by any field officer, or captain of horſe or dragoons in the militia, deliver the ſame to the perſon demanding, or his order, within the diſtrict wherein ſuch papiſt or nonjuror liveth.

(2) And if ſuch perſon ſhall refuſe or neglect to deliver the ſaid horſes, &c, or arms, within three days after ſuch proof and demand, at ſuch place as by the perſon demanding the ſame ſhall be appointed within the ſaid county, unleſs the ſame were before the time of the information given or ſold without fraud, then it ſhall be lawful for ſuch juſtice to iſſue his warrant for apprehending ſuch perſon ſo refuſing, in caſe he ſhall refuſe to pay 10*l.* for ſuch horſe &c. or arms not delivered as aforeſaid, him to commit to the county gaol till payment of the ſaid ſum, which ſhall go, one half to the informer, and the other half to the uſe of the militia of the diſtrict where the offender dwells. Penalty of refuſal.

XIII. *ſect.* 13. The lieutenants &c. and commiſſioners of array ſhall divide their counties into ſeveral diſtricts for forming the militia into regiments, troops, and companies, as may be moſt convenient for the inhabitants, and the inhabitants ſhall from the time they are appointed to ſerve in ſuch regiment, troop, or company, attend the ſaid ſervice under the penalties aforeſaid, and ſhall not ſerve in any other regiment, troop, or company. Diviſion into diſtricts.

XIV. *ſect.* 14 No perſon ſhall be obliged to ſerve in the militia who ſhall find a ſufficient man that is a proteſtant qualified according to this act, to be approved of by his captain, ſubject to be altered upon appeal to the lieutenants and commiſſioners of array, &c. and every perſon ſo found and provided, ſhall ſerve as a ſoldier in ſuch manner and under ſuch penalties as before appointed. Finding men to ſerve.

XV. *ſect.* 15. In counties of towns and cities where there are no lieutenants or governors, the commiſſioners of array for the ſaid counties of towns and cities, ſhall have the ſame power within their diſtrict as the lieutenants, &c. for the ſeveral counties have by this act. Counties of towns.

XVI. *ſect.* 16. Where any houſekeeper or maſter of a family in any county of a city or town is a papiſt, ſuch perſon ſhall find a ſufficient man who is a proteſtant to ſerve in his ſtead, to be approved of by his captain; and in caſe of any diſpute between ſuch papiſt and captain in relation to the ſufficiency of ſuch man, the ſame ſhall be determined by the commiſſioners of array, or the major part, not being leſs than three. Papiſts to find men.

(2) And in caſe ſuch papiſt ſhall neglect or refuſe to find ſuch ſufficient man, he ſhall forfeit double the ſum as a proteſtant would forfeit, in caſe ſuch proteſtant ſhould neglect to attend the ſervice of the militia, when thereunto required by beat of drum or ſound of trumpet as aforeſaid. Penalty for refuſing.

XVII. *ſect.* 17. The commiſſioners of array for the city of Dublin, and all other cities and counties of towns or any three of them, whereof the lord mayor or mayor, in caſe he is a commiſſioner of array, to be always one, may by warrant under their hands and ſeals, cauſe to be led, trained, or exerciſed, any the perſons arrayed within ſuch cities and liberties thereof, at ſuch times as the militia of the ſeveral counties ſhall be drawn out, and as often as the chief governor ſhall think it neceſſary. Array in cities and towns.

XVIII. *ſect.* 18. Nothing in this act ſhall extend to the perſons commonly called quakers, to make them liable to pay as papiſts or nonjurors, but the ſaid quakers ſhall pay only as proteſtants, in caſe they do not ſerve themſelves in the militia, or find a ſufficient perſon to ſerve in their ſtead, they making the following affirmation or declaration, if it be tendered them by any juſtice of peace. *See Tit.* **Oaths.** Exception for quakers.

Privilege of parliament.

XIX. *ſect.* 19. Nothing herein contained ſhall affect the perſon or privilege of any member of either houſe of parliament. *Eng. Stat.* 13 & 14 *Car.* 2. *cap.* 3.

This act is continued by Stat. 5 *Geo.* 3. *cap.* 15. *ſect.* 37. *for ten years from the twenty-fifth of March, one thouſand ſeven hundred and ſixty-ſix, and from thence to the end of the then next ſeſſion of parliament.*

Arms and accoutrements.

XX. *Stat.* 6 *Geo.* 1. *cap.* 3. *ſect.* 2. The captains of the ſeveral troops and companies of the militia, ſhall keep in one convenient place all ſuch arms and accoutrements as ſhall be delivered out by the lord lieutenant or chief governors for the uſe of the militia, to be there kept for the uſe of the ſaid ſeveral troops and companies.

Officers of the land forces.

XXI. *ſect.* 3. No perſon who is a commiſſioned officer of the land forces on the eſtabliſhment, or in any county within this kingdom, ſhall be obliged to inliſt, array, muſter, ſerve, pay or contribute as a private man in the militia of the city of Dublin, or of any other county of a city or county of a town, ſo as ſuch commiſſioned officer in the ſtanding army or militia, governor or deputy governor of a county, enter their names with the town-clerk of the reſpective cities and counties of towns, where ſuch commiſſioned officer of the land forces or militia, governor or deputy governor of a county ſhall reſide, for which no fee ſhall be taken.

Preſentment on popiſh inhabitants.

XXII. *ſect.* 4. It ſhall be lawful for the juſtices at every general aſſiſes for the ſeveral counties, and for the juſtices of the peace at the quarter-ſeſſions for the county of Dublin, by preſentment of the grand jury, to charge and levy if they think fit, upon the popiſh inhabitants of ſuch county, a ſum not exceeding twenty ſhillings ſterling, for the refreſhment of each troop or company who ſhall appear and attend on the days appointed by the act 2 *Geo.* 1. *cap.* 9. to be applotted equally on all popiſh inhabitants within ſuch county, and to be levied by ſuch ways as other public money is uſually applotted and levied, in purſuance of preſentments made at the aſſiſes or ſeſſions, and the ſame when levied, to be paid over to ſuch perſons as the governors of each county ſhall appoint, to receive and apply the ſame to the purpoſes aforeſaid.

Calling together the militia.

XXIII. *Stat.* 19 *Geo.* 2. *cap.* 9. *ſect.* 1. His Majeſty's lieutenants or governors and commiſſioners of array for the ſeveral counties, cities, and places of this kingdom, ſhall have authority to call together the militia in their ſeveral counties, &c. reſpectively, and them to lead, conduct, and employ, as well within the ſaid ſeveral counties for which they ſhall be commiſſioned as into any other counties, according as they ſhall receive directions from his Majeſty or the chief governors of this kingdom ſo to do; and the ſaid militia ſhall draw out upon the days and times mentioned in the act 2 *Geo.* 1. *cap.* 9. and alſo as often as the chief governors ſhall think neceſſary for the public good and peace.

Keeping of arms, &c.

XXIV. *ſect.* 2. It ſhall be lawful for the grand jury of every county or county of a city or town, to hire a houſe or rooms in the county town or ſuch places where there is a barrack, as the grand jury ſhall preſent, which ſhall contain racks and other conveniencies ſufficient for ſafe keeping of arms, ammunition and accoutrements.

Preſentment for the rent of houſes.

(2) And it ſhall be lawful for the grand jury of every county, &c. to raiſe by preſentment at the aſſiſes, and in the county and county of the city of Dublin by preſentment of the grand jury at the ſeſſions reſpectively, ſuch annual ſum not exceeding ten pounds for the hiring the ſaid houſe or rooms, and alſo to preſent a ſum not exceeding ten pounds, for fitting up the ſaid houſe or rooms with conveniencies for the ſaid arms.

XXV. *ſect.*

Militia.

XXV. *ſect.* 3. The lord lieutenant or chief governors ſhall appoint for each county or county of a city or town where ſuch houſe or rooms ſhall be ſo hired, a proper ſtore-keeper or armourer, who ſhall be obliged to keep the ſaid arms, ammunition, and accoutrements in good order, and the grand jury of each county ſhall raiſe by preſentment annually, a ſum not exceeding twenty pounds, or three pence for every firelock, bayonet, and broad ſword, for defraying the neceſſary expence thereof, and for the ſalary of ſuch ſtore-keeper. Store-keeper or armourer.

XXVI. *ſect.* 4. The governors of each county, or county of a city or town, or their deputies, or commiſſioners of array, where there is no governor, or any of them, ſhall be impowered to enter into the ſaid ſtores, and view the arms, ammunition, and accoutrements lodged therein. Viewing the arms

(2) And the grand jury of the ſeveral counties ſhall twice in every year at the time of the aſſiſes, and in the county, and the county of the city of Dublin at their quarter-ſeſſions reſpectively, viſit the ſaid ſtores. Grand jury to viſit the ſtores,

(3) And in caſe it ſhall appear to them, that the ſaid arms, ammunition, or accoutrements, or any conſiderable part of them, have, through neglect or deſign of the ſaid ſtore-keeper, been ſuffered to go out of proper order, or in caſe of other miſbehaviour in his office appearing to them, the ſaid grand jury ſhall be impowered to remove the ſaid ſtore keeper by preſentment from his office, and the lord lieutenant or chief governors ſhall appoint another perſon qualified as aforeſaid, to ſerve in the room of ſuch ſtore-keeper ſo removed. Removing the ſtore-keeper.

XXVII. *ſect.* 5. In caſe there be any of his Majeſty's ſtanding forces quartered in the places where arms, ammunition, or accoutrements for the uſe of the militia are kept, the commanding officer of the forces then in the place, ſhall appoint a ſufficient guard out of the ſtanding forces for the ſecurity of the ſaid arms, &c. Guarding the ſtores.

(2) But if none of his Majeſty's ſtanding forces are quartered in the ſaid town, the governors or their deputies, and commiſſioners of array of the ſaid county, ſhall appoint a ſufficient guard for that purpoſe, out of the militia of the ſaid town and neighbourhood, which guard ſhall be paid ſo long as they remain in that ſervice after the ſame rate his Majeſty's ſtanding forces are paid. Paying a guard.

(3) And the grand juries of the ſeveral counties ſhall raiſe by preſentment annually at the aſſizes, and in the county and county of the city of Dublin at their quarter-ſeſſions reſpectively, in the ſame manner that all public money is by them raiſed, a ſum ſufficient for the pay of the men appointed out of the militia, for the guard of the ſaid arms, &c. Preſentment for pay.

XXVIII. *Stat.* 5 *Geo.* 3. *cap.* 15. *ſect.* 37. An act paſſed in the ſecond year of his Majeſty King George the firſt's reign, *to make the militia of this kingdom more uſeful*; and which ſaid act has been continued by ſeveral acts of parliament, but is now near expiring, ſhall be further continued for ten years from the twenty-fifth of March one thouſand ſeven hundred and ſixty ſix, and from thence to the end of the then next ſeſſion of parliament. Continuation for ten years.

Mines.

I. *Stat.* 4 *Ann. cap.* 12. *ſect.* 2. No mines of copper, tin, iron or lead, ſhall be adjudged to be a Royal mine, although gold or ſilver may be extracted out of the ſame. (*Eng. Stat.* 1 *Will. & Mar. Stat.* 1. *cap.* 30. *ſect.* 4.) Royal mines.

II. *ſect.* 5. All perſons being ſubjects of the crown of England, bodies politic or corporate, that ſhall be proprietors of any mines wherein any ore ſhall be diſcovered, and in which there is copper, tin, iron or lead, ſhall hold and enjoy the ſame, notwithſtanding Property of ſubjects.

withſtanding that ſuch mines or ore ſhall be claimed to be Royal mines (*Eng. Stat. 5 Will. & Mar. cap. 6. ſect. 2.*)

Copper ore. III. *ſect. 4.* Provided that her Majeſty, her heirs and ſucceſſors, ſhall have the ore of any ſuch mines in any part of Ireland, paying to the proprietors of the mines wherein ſuch ore ſhall be found, within thirty days after the ſaid ore ſhall be raiſed and laid upon the banks of the mine, and before the ſame be removed from thence, the rates following, that is to ſay, for all ore waſhed and merchantable, wherein is copper, at the rate of ſixteen pounds *per* tun.

Tin ore. (2) And for all ore waſhed and merchantable, wherein there is tin, at the rate of forty ſhillings *per* tun.

Iron ore. (3) And for all ore waſhed and merchantable, wherein there is iron, at the rate of forty ſhilllings *per* tun.

Lead ore. (4) And for all ore waſhed and merchantable, wherein there is lead, at the rate of nine pounds *per* tun.

Default of payment. (5) And in default of payment of ſuch reſpective ſums, it ſhall be lawful for the owners and proprietors of the ſaid mines, to diſpoſe of the ſaid ore to their own uſe.

Some other clauſes of this act relative to a patent granted to the earl of Abercorn of the Royal mines in this kingdom, and the grantees under him, having had their effect, are omitted.

Leaſes of mines. IV. *Stat.* 10 *Geo.* 1. *cap.* 5. *ſect.* 1. It ſhall be lawful for all biſhops, deans, deans and chapters, and other dignitaries eccleſiaſtical, parſons, rectors, vicars, and all bodies politic and corporate, colleges, cathedral or collegiate churches and hoſpitals, and all tenants for life, with an immediate remainder to his or her firſt and every other ſon in tail male, and alſo for all perſons who ſhall be tenant in dower, or by the curteſy, with the conſent and concurrence of ſuch perſons as ſhall be ſeized in reverſion or remainder of an eſtate of inheritance in any mines herein after mentioned, immediately expectant upon the death of ſuch tenant in dower, or by the curteſy, or in caſe of the nonage, idiocy or lunacy of ſuch perſon ſo ſeized in reverſion or remainder, then with the conſent of the guardians of ſuch minor, or the committee of ſuch idiot or lunatick, and with the approbation of the lord chancellor, lord keeper, or commiſſioners of the great ſeal, in the ſaid caſes of nonage, idiocy or lunacy, by indentures under their reſpective hands and ſeals, whereof counterparts are to be duly executed by the reſpective leſſees, to make leaſes not exceeding thirty-one years, of all mines and minerals which are already found, or ſhall hereafter be diſcovered within their reſpective manors, glebes, or lands, ſo as the ſame be made to commence in poſſeſſion without any fine or any other conſideration than the yearly rent in ſuch leaſes reſerved and mentioned, and ſo as the moſt improved rent that can be reaſonably gotten for the ſame be reſerved upon every ſuch leaſe, and that ſuch rent be not leſs in value than one tenth part or ſhare of the ore to be dug and raiſed out of ſuch mines or minerals, without any regard had to the charge and expences in diging, raiſing, and laying the ſame on the bank, and ſo as ſuch rent ſhall be reſerved and made payable by ſuch leaſes to ſuch leſſors, or ſuch other perſons as ſhould during the continuance of ſuch leaſe have been intitled to the benefit of ſuch mines and minerals, in caſe this act had not been made.

Without fine.

Proportioning the rent. V. *ſect.* 2. Where any ſuch leaſe ſhall be made by any tenant for life, not diſpuniſhable of waſte, with immediate remainders to his or her firſt and every other ſon in tail, two fifth parts of the yearly rent to be reſerved thereupon ſhall be made payable to the tenant for life, and the other three fifth parts of ſuch rent to the perſons in remainder, in whom the inheritance of the mines compriſed in ſuch leaſe ſhall be veſted, during the time ſuch inheritance ſhall continue veſted in them reſpectively.

VI. *ſect.*

VI. *ſect.* 3. Whereas it may happen, that ſuch tenants for life, tenants in dower, or by the curteſy, may be infants, idiots, or lunaticks, in all ſuch caſes it ſhall be lawful for all guardians, truſtees, and committees of ſuch infants, idiots and lunaticks, with the conſent of the lord chancellor or lord-keeper, or commiſſioners of the great ſeal, to make leaſes not exceeding thirty-one years, of all mines and minerals in the lands of ſuch infants, idiots or lunaticks for the term of thirty-one years, ſo as ſuch rent be reſerved as aforeſaid, and ſo as ſuch conſent be had, and all the other directions and reſtrictions herein before mentioned be obſerved in the making ſuch leaſes. In caſes of diſability.

VII. *ſect.* 4. *Where* proprietors of lands have ſet their lands in fee-farm, and for leaſes for lives renewable for ever, or for a long term for years, with an exception of mines or minerals in ſuch fee farms or leaſes, all perſons to whom the rent upon ſuch fee-farms, or the immediate reverſion in fee-ſimple or fee-tail expectant on ſuch leaſes belong, ſhall have power to open, dig, and work all mines or minerals which ſhall be found upon the ſaid lands, and to raiſe and carry away the ore thereof, or to demiſe the ſame for thirty-one years as aforeſaid, and the perſons aforeſaid. Power to work mines.

(2) And all perſons to whom the ſaid mines and minerals ſhall be demiſed as aforeſaid, ſhall have free liberty to build ſuch houſes as ſhall be convenient for working the ſaid mines, and to dig and make turf for the uſe of the ſaid houſes, where the ſame ſhall happen to be in bogs or mountains only, making to ſuch perſons as ſhall be intitled to the poſſeſſion of the lands wherein ſuch mines and minerals ſhall be dug for, wrought, or found, ſuch reaſonable allowance for the damage ſuſtained upon account of digging ſuch mines, and raiſing and carrying away the ore, or for the building ſuch houſes, or the digging ſuch turf, as ſhall be agreed upon between the parties intereſted therein. Allowance to tenants,

(3) And in caſe the ſaid parties do not agree, then ſuch damages ſhall be aſcertained by a jury of twelve legal freeholders of the county, upon their oaths, in the preſence of two juſtices of the peace for ſuch county. Damages to be aſcertained.

VIII. *ſect.* 5. In caſe the ſaid parties do not agree among themſelves, any two neighbouring juſtices of the peace for ſuch county are required to iſſue a precept in writing under their hands and ſeals, requiring the ſheriff of ſuch county to return four and twenty freeholders at ſuch time and place as ſhall in ſuch precept be appointed, due notice of which ſhall be given to both parties, out of which four and twenty freeholders ſo returned, twelve legal and indifferent men ſhall be ſworn to try and aſcertain the damages, and the allowance to be made for ſuch damages. Precept for a jury.

(2) And the ſaid two juſtices ſhall certifie ſuch finding or inquiſition under their hands and ſeals into *the* King's-bench, which ſhall be recorded in the ſaid court, and the like proceſs ſhall iſſue thereon, as in caſe of a judgment upon a writ of inquiry of damages. Certificate of the inquiſition.

IX. *ſect.* 6. Provided, that before the ſaid twelve men ſo ſworn ſhall make any return for the aſcertaining of the ſaid damages, ſix of them at leaſt ſhall view the ſeveral places where the damages are alledged to be done. View by ſix of the jury.

X. *ſect.* 7. It ſhall not be lawful for any perſons in purſuance of this act, to open, dig for, or work, any mines or minerals in any land belonging to any biſhop, dean, or other dignitary eccleſiaſtical, parſon, rector or vicar, whereon any church, houſe or out-houſe ſhall be erected, or wherein any church-yard, garden, orchard, or avenue, ſhall be made or planted. Savings.

XI. *ſect.* 8. It ſhall not be lawful for any other perſons in purſuance of this act, to open, ſearch, dig for, or work any mines or minerals in any ſpot of ground, whereon any houſe, backſide, garden, orchard or avenue, ſhall be, without the licence or conſent of the tenant or poſſeſſor thereof, and of all other perſons who ſhall be ſeized of the immediate reverſion and inheritance of the ſaid lands, expectant on the leaſes made in fee-ſimple or fee-tail, firſt obtained in writing. Conſent of tenants.

XII. *ſect.*

Leaſes by mortgagees.

XII. *ſect.* 9. If any mortgagees of lands ſhall make ſuch leaſes as aforeſaid, the ſame ſhall be void againſt the perſons who ſhall be intitled to the equity of redemption of the ſame, unleſs ſuch perſons ſhall join in ſuch leaſes, or otherwiſe conſent thereto.

Valid againſt ſucceſſors &c.

XIII. *ſect.* 10. All leaſes made by virtue of this act ſhall be valid, not only againſt the perſon who ſhall make ſuch leaſes, but alſo againſt their reſpective ſucceſſors, and all perſons claiming any eſtate or intereſt in reverſion or remainder expectant on the determination of the eſtate of ſuch tenant for life, in dower or by the curteſy in any mines ſo to be demiſed.

Not working mines.

XIV. *ſect.* 11. If any perſons who ſhall have or claim any right or intereſt in any mine or mineral, under any leaſe to be made in purſuance of this act, ſhall not begin effectually to work in ſuch mine or mineral within one year next after the commencement of ſuch leaſe, or ſhall after the ſaid firſt year neglect to keep ſix able workmen therein employed for one hundred and fifty days in any one year during the term of the ſaid leaſe for the effectual carrying on of the ſaid work, the leaſe ſo made ſhall be from thenceforth void.

Re-entry.

XV. *ſect.* 12. And it ſhall be lawful for the leſſors, or ſuch perſons who ſhall be intitled to the rent reſerved on ſuch leaſe, to re-enter upon ſuch demiſed premiſſes, and the ſame to repoſſeſs and enjoy, as in their former eſtate.

Jointreſs.

XVI. *ſect.* 13 Nothing in this act ſhall extend to enable any jointreſs to make leaſes of any mines or minerals found in any lands, which ſuch jointreſs ſhall hold as part of her jointure.

The King's preemption.

XVII. *ſect.* 14. Saving to the King all ſuch rights of preemption of ore, and all other rights and demands unto or out of any mines, minerals, and ore, as his Majeſty would have been intitled unto in caſe this act had not been made.

Purloining utenſils, &c.

XVIII. *Stat.* 1 *Geo.* 2. *cap.* 24. *ſect.* 1. If the ſervants of tradeſmen, artificers, huſbandmen, and dealers in iron-works, mines, and other works, who are intruſted with their maſters goods, tools, utenſils, and other things, under the value of forty ſhillings, do purloin, imbezel, or conſent to, or connive at, the unlawful taking away or imbezelling any wares, goods, tools uſed in trade, or utenſils belonging to their maſter or miſtreſs, above the value of five ſhillings, and under the value of forty ſhillings:

Purloining coals, tools, &c.

(2) Or if ſuch perſons ſhall purloin or imbezel, or conſent to, or connive at, the unlawful taking or imbezelling any coals, mineral or ore, which ſhall be raiſed or taken out of any mine or pit, or any timber, iron tools or materials, above the value of five ſhillings, and under the value of forty ſhillings, which ſhall belong to or be made uſe of in working ſuch mines, and ſhall be thereof convicted upon oath of one credible witneſs before any juſtice of the peace for the county where ſuch offence ſhall be committed, ſuch juſtice ſhall commit ſuch offenders to the houſe of correction, and ſhall order ſuch offenders to be publickly whipt at the next market on the next market-day after ſuch conviction.

Conſtables to execute orders.

(3) And the conſtable of ſuch market-town is required to execute ſuch order, and to whip ſuch offender ſeverely on pain of twenty ſhillings, to be levied by order of the ſame juſtice by diſtreſs and ſale of the goods of the ſaid conſtable, to be paid to the church-wardens, and applied to the poor of the pariſh where ſuch market-town is.

Offences committed again.

(4) And if ſuch perſons ſhall again offend in the premiſſes, and ſhall thereof be convicted as aforeſaid, ſuch perſons ſhall be ſent to the houſe of correction, and kept to hard labour for three months, and at the end thereof be alſo publickly whipt as aforeſaid; or if ſuch offenders will pay to the perſon injured treble the value of what

what ſhall be ſo imbezelled, which treble value is to be aſcertained by ſuch juſtice before whom ſuch perſons ſhall be ſo convicted, the perſons ſo offending and making ſuch ſatisfaction, ſhall be diſcharged from ſuch corporal puniſhment.

XIX. *ſect.* 2. It ſhall be lawful for any perſons having a warrant for that purpoſe under the hands and ſeals of any two juſtices of the peace, to ſearch in all ſuſpected places, for any ſuch ore, coals, mineral or timber, imbezelled as aforeſaid, and if ſuch perſons ſhall find any ſuch ore, coals, mineral or timber, to the value of five ſhillings, in the houſe or poſſeſſion of any perſon being a day-labourer or collier, or of any other perſon employed in the raiſing or working of ſuch ore, coals, or minerals, they ſhall bring ſuch perſons in whoſe houſes or poſſeſſions ſuch ore, coals, mineral, or timber, ſhall be found, before any two juſtices of the county where ſuch ore, &c. ſhall be found. Warrant to ſearch.

(2) And if ſuch perſons ſhall not make proof to the ſatisfaction of ſuch juſtices, that ſuch ore, &c. were honeſtly acquired by them, the perſons in whoſe cuſtody ſuch ore, coals, mineral, or timber ſhall be found, ſhall ſtand convicted, and be liable to the penalties hereby provided againſt thoſe who ſhall be convicted by the oath of one credible witneſs as aforeſaid. Proof of property.

XX. *ſect.* 3. If any perſons ſhall wilfully and maliciouſly deſtroy any engine lawfully erected, or any ſhaft or paſſage or drains lawfully made, for working mines, or ſhall wilfully and maliciouſly do any damage to the ſame, to the value of five pounds, or ſhall wilfully and maliciouſly burn or ſet on fire any ſtack of coals or charcoal, or vein or mine of coals under ground, or any ſhafts or paſſages leading thereto, ſuch offenders being thereof convicted, ſhall be adjudged felons without the benefit of clergy or of the ſtatute, 9 *Ann. cap.* 6. Deſtroying engines or works.

XXI. *Stat.* 15 *Geo.* 2. *cap.* 10. *ſect.* 1. All perſons, bodies politic and corporate, impowered by the act 10 *Geo.* 1. *cap.* 5. to grant leaſes of any mines and minerals, may make like leaſes of coal mines, within their reſpective lands, and may open and work all coal mines to them belonging, and raiſe and carry away the coals thereof, or make leaſes thereof for ſuch term of years, and at ſuch rent, and under ſuch conditions, and in ſuch manner, as they are impowered to make by the ſaid act concerning any other mine or mineral; and the ſaid act, and every clauſe therein not hereby altered, ſhall be conſtrued to extend to the finding and working of coal mines, and carrying away the coals thereof, as fully as if coal mines had been particularly mentioned therein. Working and demiſing coal-mines.

XXII. *Stat.* 23 *Geo.* 2. *cap.* 9. *ſect.* 1. It ſhall be lawful for all perſons, bodies politic and corporate, impowered by the act 10 *Geo.* 1. *cap.* 5. by indentures under their reſpective hands and ſeals, to be executed in the preſence of two witneſſes, to demiſe or grant leaſes of coal mines within their reſpective glebes or lands, for any term not exceeding forty-one years, in poſſeſſion and not in reverſion, at any rents not leſs than two-pence for every tun of coals which ſhall be raiſed and laid upon the bank, without fine or any other conſideration than the yearly rent reſerved in ſuch leaſes, with proper clauſes of entry and diſtreſs for non-payment of the rents thereby to be reſerved, ſo as the leſſees in ſuch leaſes do execute counterparts thereof, and ſo as ſuch rents ſhall be reſerved and made payable to the leſſors, and ſuch other perſons as would during the continuance of ſuch leaſe be intitled to the profits of the land, in caſe ſuch leaſe had not been made. Leaſes for forty-one years.

XXIII. *ſect.* 2. It ſhall be lawful for George lord archbiſhop of Armagh and his ſucceſſors, by indenture executed and atteſted as aforeſaid, to demiſe or grant leaſes of coal mines in the lands whereof they ſhall be ſeized or intitled unto, under the Archbiſhop of Armagh.

grant made by King Charles the firſt, *for the benefit of maſters of free ſchools*, for the ſame term of forty-one years, and at the ſame rent, and with like remedy for recovery thereof, as is before ſpecified, ſo as ſuch leaſes be made with the conſent of the maſter of the free-ſchool, who ſhall be intitled to the profits of the lands wherein ſuch coal mines ſhall be found at the time of making ſuch leaſe, and that ſuch conſent be teſtified by ſuch maſter by his being a party to and executing the ſame, and ſo as the rent thereby to be reſerved be made payable to the archbiſhop of Armagh and his ſucceſſors, in truſt for the maſter of ſuch free-ſchool during the continuance of ſuch leaſe, and ſo as the leſſees do execute a counterpart thereof; and it ſhall be lawful for the ſaid archbiſhop of Armagh and his ſucceſſors in like manner, and by like conſent teſtified as aforeſaid, to demiſe and grant any leaſes for any term not exceeding thirty-one years, of any other mines or minerals in any of the lands held by him or his ſucceſſors in truſt for the purpoſe aforeſaid, under ſuch rents, reſervations, conditions, and reſtrictions, as are expreſſed in the ſaid act 10 *Geo.* 1. but ſo always as the rent thereby to be reſerved, ſhall be in truſt and for the benefit of the ſchool maſter, who would be intitled to the rents and profits of the ſaid lands, in caſe ſuch leaſe had not been made.

Conſent of ſchool-maſter.

Tenants for life.

XXIV. *ſect.* 3. It ſhall be lawful for all ſuch tenants for life with ſuch remainders as are herein mentioned, viz. *a huſband tenant for life with remainder to his wife for her life remainder to their firſt and every ſon ſucceſſively in tail, or a wife tenant for life with remainder to her huſband for his life remainder to their firſt and every other ſon ſucceſſively in tail, or a father tenant for life with remainder to his ſon for life, remainder to the firſt and other ſons of ſuch ſon reſpectively in tail*, by indenture to be executed and atteſted as aforeſaid, to demiſe or grant any coal mines within their reſpective lands, for the ſame term of years, and at the ſame rents, and with the like remedy for recovery thereof, as is herein before ſpecified concerning leaſes to be made of coal mines, ſo as no fine nor any other conſideration than the yearly rent reſerved in ſuch leaſes be paid or given for making the ſame, and ſo as the leſſees do execute counterparts thereof, and ſo as ſuch rents ſhall be reſerved and made payable to the leſſors, and ſuch other perſons as would during the continuance of ſuch leaſe be actually intitled to the profits of the land in caſe ſuch leaſe had not been made.

Leaſes for thirty one years.

XXV. *ſect.* 4. It ſhall be lawful for all ſuch tenants for life with ſuch remainders as before ſpecified, to demiſe and grant leaſes for any term not exceeding thirty one years, of any other mines or minerals within their reſpective lands, in ſuch manner, and under ſuch rents, reſervations, conditions, and reſtrictions, as are expreſſed in the ſaid act made in the tenth year of King George the firſt.

Reſervations on fee-farms.

XXVI. *ſect.* 5. It ſhall be lawful for all tenants for life with any ſuch remainders as are herein before or in the ſaid act 10 *Geo.* 1. *cap.* 5. mentioned, of any coal mines excepted and reſerved upon any fee farm, grants of the lands wherein ſuch coal mines do lie, by indenture to be executed and atteſted as aforeſaid, to demiſe or grant any leaſes of ſuch coal mines for the ſame term of years, and at the ſame rent, and with like remedy for recovery thereof, as is herein before ſpecified concerning leaſes to be made of coal mines, ſo as no fine or any other conſideration than the yearly rent, reſerved in ſuch leaſes be paid or given for making the ſame, and ſo as the leſſees do execute counterparts thereof, and ſo as ſuch rents ſhall be reſerved and made payable to the leſſors, and ſuch other perſons as would be actually intitled to the profits of ſuch coal mines in caſe ſuch leaſe had not been made.

Mines and minerals.

XXVII. *ſect.* 6. It ſhall be lawful for all tenants for life, with ſuch remainders as are herein before or in the ſaid act 10 *Geo.* 1. mentioned, of any other mines or minerals excepted and reſerved upon any fee farm, grants of the lands, wherein

ſuch

ſuch other mines or minerals do lie, to demiſe or grant leaſes for any term not exceeding thirty one years, of ſuch other mines or minerals, in ſuch like manner, and under ſuch rents, reſervations, conditions, and reſtrictions, as are expreſſed in the ſaid act 10 *Geo.* 1.

XXVIII. *Stat.* 25 *Geo.* 2. *cap.* 8. *ſect.* 7. No coal owner of coal mines, their overſeer, or agent, ſhall knowingly employ any overſeer or agent, engineer, pit-man, ſinker, collier, hurrier, banks-man, car, cart or waggon driver, labourer, carpenter, wright-ſmith, or other perſons who are or ſhall be retained, hired, or agreed with, and actually employed in the ſaid coal buſineſs, by any other coal owner of colleries, or coal mines, their overſeer, or agent, during the time he ſhall be employed under ſuch retainer or agreement, and his wages duly paid, or knowingly keep or employ ſuch perſons, upon pain for every ſix days they ſhall keep or employ ſuch perſons, to forfeit and pay the coal owner, to whom ſuch perſon was hired or retained, for every ſuch offence five pounds; to be recovered in a ſummary way as debts are recoverable by civil bill before the judges of aſſiſe. Employing miners, &c.

XXIX. *ſect.* 8. Provided that any perſons who ſhall be retained, hired, or agreed with as aforeſaid, and ſhall not be paid their wages within fourteen days after the ſame ſhall become due, may be hired and employed by any other perſon. Payment of wages.

This act is continued by Stat. 1 Geo. 3. cap. 17, ſect. 32. *for four years, &c. from the end of that ſeſſion.*

XXXI. *Stat.* 25 *Geo.* 2. *cap.* 10. *ſect.* 5. It ſhall be lawful for *the corporation for carrying on an inland navigation*, eleven or more of them being preſent, by inſtrument in writing under their common ſeal, to appoint perſons to mark and ſet out in maps to be made in parchment, proper places for roads through any lands, not being a park, incloſed houſe, yard or garden, orchard, planted walk or avenue, leading from any coal mine or other mine, or mineral, towards any river or canal which ſhall be navigable. Setting out roads.

(2) And if the places ſet out in ſuch maps be approved of by the corporation, or in caſe the ſame ſhall be any ways altered by the corporation, eleven of them being preſent, it ſhall be lawful for the proprietors of ſuch coal mines, or other mines or minerals, at their own charges, to make ſuch roads as they ſhall think convenient upon the grounds ſo ſet out and approved of, and to make ditches or trenches for the making or keeping of any ſuch roads in repair, firſt making ſatisfaction to the occupiers and proprietors of the grounds made uſe of, or damaged in making ſuch roads, drains, or ditches, which ſatisfaction in caſe the ſame cannot be adjuſted by the parties, ſhall be finally aſcertained by a jury, in ſuch manner as by this act is directed, *See Tit.* **Inland navigation**, for making ſatisfaction for ſuch grounds as ſhall be digged up, or damaged in making or finiſhing any canal, or making any river navigable. Making roads. Satisfaction to owners,

XXXII. *ſect.* 6. It ſhall be lawful for the proprietors of any other coal mine, mines or minerals, near ſuch road, or ſuch other perſons as ſhall work ſuch adjacent coal mine, or other mine, to make uſe of ſuch road to ſuch navigable water, they firſt paying a reaſonable contribution to the perſons making ſuch road, the ſaid contribution to be determined by a jury in manner aforeſaid. Contribution for expences.

XXXIII. *Stat.* 29 *Geo.* 2. *cap.* 12. *ſect.* 9. No maſter, overſeer, working or other collier, ſhall preſume to ſell or diſpoſe of any quantity of coal, raiſed in the colliery he is employed to work in, for money, or any other conſideration, unleſs ſuch maſter, overſeer, working or other collier, ſhall fairly and openly purchaſe the ſame from the owner and proprietor of ſuch coal, or from the perſons authorized by them to ſell the ſame. Diſpoſing of coals.

Penalty.

(2) And if any maſter, overſeer, working or other collier, ſhall ſo diſpoſe of or ſell for money, or any other conſideration, any quantity of coals ſo raiſed, (except as aforeſaid) ſuch maſter, overſeer, working or other collier, ſhall forfeit ſix pence for every hundred of coal he ſhall ſo diſpoſe of as aforeſaid, to the owner and proprietor of ſuch colliery where the ſame was raiſed, together with the horſe and carriage that ſhall be employed in carrying away or drawing the ſame.

Conviction on oath.

(3) Provided ſuch collier or other perſon employed in carrying away or drawing the ſame, be lawfully convicted thereof, by oath, before any one juſtice of the peace for the county where ſuch offence is committed, or where ſuch coal is ſeized or taken up.

Unlawful combinations.

XXXIV. *ſect.* 10. And if any maſter, overſeer, working or other collier, or miner, ſhall enter into any unlawful combinations, or ſhall refuſe to work according to the articles entered into by them with the owners or proprietors of ſuch collieries, or mines, in ſuch caſe, over and above the penalty provided by any former acts, ſuch maſter, overſeer, working or other collier, or miner, ſhall forfeit all ſuch money as ſhall be due to them from the owners of ſuch collieries or mines at the time of their entering into ſuch unlawful combination; and ſhall alſo be committed to the common gaol of the county where ſuch offence is committed, there to remain for one calandar month without bail.

Conviction.

(2) Provided ſuch maſter, overſeer, working or other collier, or miner, be lawfully convicted of ſuch offence, on oath, before one juſtice of the peace of the county where ſuch offence is committed, or where ſuch offender is found. *This act is made perpetual by Stat.* 1 *Geo.* 3. *cap.* 17. *ſect.* 18.

The act, 29 G. 2. made perpetual.

XXXV. *Stat.* 1 *Geo.* 3. *cap.* 17. *ſect.* 18. One act paſſed in the twenty-ninth year of the reign of his late Majeſty, *to prevent unlawful combinations of tenants, colliers, miners, and others*, &c. which act is now near expiring, ſhall be perpetual.

Tickets for coals.

XXXVI. *ſect.* 19. Every carman, and buyer of coals, at or in any colliery of this kingdom, ſhall, at the time of buying ſaid coal, and before he ſhall take or remove ſaid coal from the place of ſale, procure a ticket from the owner of ſuch coal, or the clerk, or perſon who ſhall be appointed by the owner to ſell or deliver ſuch coal, which ticket ſhall be given *gratis*, and ſhall expreſs the day of the month and year, in which ſuch coal is ſold and delivered, and alſo the quantity of the coal then ſold, and the names of the buyer and ſeller.

Penalty.

(2) And in caſe any perſon ſhall remove or take away any quantity of coals from any colliery, without ſuch ticket, or ſhall refuſe to produce or ſhew ſuch ticket when required of him within the ſaid colliery, or five miles thereof, ſuch perſons ſo offending, ſhall not only forfeit the coals ſo found on him, but ſhall alſo forfeit the horſe and car employed in carrying ſuch coal, which forfeiture ſhall be to the uſe of the owner or proprietor of ſuch colliery from which ſuch coal was ſo taken away.

Proof of the loſs of the ticket.

(3) Provided that if any perſon who ſhall fairly buy any quantity of coals, ſhall by any accident looſe his ticket, and for want of ſuch ticket ſhall incur the penalty herein before mentioned, ſuch perſon, ſhewing by the clerk of the colliery's books, or by proper and ſufficient proof before the next juſtice of peace, that ſuch coal was fairly and openly purchaſed from the owner or perſon appointed to ſell the ſame, ſhall have his coal, together with his horſe and car reſtored to him.

Abſenting from work.

XXXVII. *ſect.* 20. If any miner, maſter, or other collier, or other perſon employed in any of the colleries or mines of this kingdom, ſhall abſent himſelf from his work, in breach of his articles or contract with the owners of any colliery, or other mine, or ſhall engage himſelf, or hire with the owners, overſeer, or director of any

any other colliery or mine, or any other perſon, without firſt obtaining a licence, or diſcharge in writing from the owners of the laſt work he was engaged by contract or agreement to work in, ſuch miner, maſter, or other collier, on being duly convicted of ſuch offence, ſhall, over and above the penalties provided by any former act, be committed to the common gaol of the county wherein ſuch offence is committed, there to remain for the ſpace of two months, without bail or mainprize.

Employing perſons under contract.

(2) And if any owner of any colliery or mine, ſhall employ or hire any ſuch miner, maſter, or other collier under contract, who ſhall not obtain ſuch licence or diſcharge in writing, and produce the ſame before he ſhall be ſo hired or employed, ſuch owner of a mine, or colliery, ſo offending, for ſuch offence, ſhall, over and above all the other penalties by any former act, forfeit ten pounds, to ſuch owner from whom ſuch miner, maſter, or other collier ſhall be ſo ſeduced, to be recovered by civil bill, at the aſſizes to be held for the county where ſuch offence ſhall be committed.

Hiring without a diſcharge.

(3) And if any other perſons ſhall employ or hire any miner, maſter, or other collier, under contract, knowing him to be ſuch, without a licence or diſcharge obtained, and produced as before mentioned, ſuch perſons ſo offending, ſhall likewiſe forfeit ten pounds, to be recovered in the manner herein before mentioned, ſaid ſum ſo forfeited, to be paid to the maſter or owner of the colliery from whom ſuch miner, maſter, or other collier ſhall be ſo ſeduced.

Continuance.

XXXVIII. *ſect.* 21. The ſaid two clauſes herein before laſt mentioned, ſhall continue and be in force, to the firſt day of May, 1764, and to the end of the then next ſeſſion of parliament.

Continuation of the act, 25 Geo. 2.

XXXIX. *ſect.* 32. The act 25 *Geo.* 2. *cap.* 8. *(for the puniſhment of all ſuch owners of coals, and their agents, as ſhall knowingly employ and ſet at work perſons retained in the ſervice of other coal owners)* is continued for four years, from the end of this ſeſſion of parliament, and to the end of next ſeſſion after the expiration of the ſaid four years.

Recital of the act 1 Geo. 3.

XL. *Stat.* 3 *Geo.* 3. *cap.* 16. *ſect.* 3. *Whereas by an act paſſed in the firſt year of his preſent Majeſty's reign (for reviving, continuing, and amending ſeveral temporary ſtatutes, &c.) two clauſes relating to colliers, miners, carmen, and buyers of coals, were enacted, and by a proviſoe it was enacted that the ſaid two clauſes ſhould continue to the firſt day of May*, 1764, *&c. And whereas it is expedient that the ſaid two clauſes ſhould be continued:* the ſaid two clauſes, and ſo much of the ſaid act as relate to colliers, miners, carmen, and buyers of coals, ſhall be continued to the firſt day of May, 1776, and to the end of the then next ſeſſion of parliament.

Continued to the 1ſt of May, 1776, &c.

Miniſters-money.

Allotment of money.

I. *Stat.* 17 *&* 18 *Car.* 2. *cap.* 7. *ſect.* 1. It ſhall be lawful for the lord lieutenant, or other chief governors, and ſix of the privy council, to allot and charge any ſums of money to be paid unto the ſeveral incumbents and their ſucceſſors, within the city and ſuburbs of Dublin, and liberties thereunto adjoining, and other cities and towns corporate, who have actual cure of ſouls in each pariſh, out of each houſe belonging to the pariſh, by apportioning the payment according to the yearly value of each houſe, or otherwiſe, ſo as the ſame do not exceed twelve pence for every pound of the yearly value of each houſe, as the ſame ſhall be valued upon oath by perſons to be nominated and authorized by commiſſion under the great ſeal, by direction of the lord lieutenant, or chief governors.

(2) In

Miniſters-money.

No valuation above 60 *l.*

(2) In which valuation if any houſe be valued above ſixty pounds *per annum*, yet the ſaid commiſſioners are to return ſuch houſe but at ſixty pounds *per annum*, which commiſſions are to be returned under the hands and ſeals of the commiſſioners to the clerk of the council.

Charge on inhabitants.

II. *ſect.* 2. After ſuch allotment made, and ſums of money aſcertained to be paid as aforeſaid, and approved by the lord lieutenant, or chief governors and council, ſuch charge on ſuch inhabitant of each houſe, ſhall be as effectual as if the ſame had been particularly expreſſed and enacted to be paid out of each houſe.

Church wardens to receive.

III. *ſect.* 3. The ſum ſo allotted or charged upon each inhabitant, ſhall be received by the church-wardens reſpectively, and by them paid to the ſeveral incumbents by four equal portions every year, *viz.* the feaſt of the *nativity of our* Lord, the feaſt of the Annuntiation, the feaſt of St. John the Baptiſt, and the feaſt of St. Michael.

Diſtreſs for non-payment.

IV. *ſect.* 4. In caſe any inhabitant ſhall upon demand by the church-wardens of the reſpective pariſhes, refuſe or delay to pay ſuch ſums of money as ſhall be ſo charged upon the houſe wherein he dwelleth at any of the days aforeſaid, it ſhall be lawful for the church-wardens to enter into the ſaid houſe and diſtrain for the ſame, and the diſtreſſes to carry away and ſell to pay to the incumbent ſuch money as ſhall be due unto him, and to deliver the remainder unto the ſaid inhabitant.

Puniſhment of failure.

V. *ſect.* 5. And if the church-wardens ſhall fail to do their duties therein, ſuch church-wardens *are* to be puniſhed for their neglects, as the lord lieutenant or chief governors and council ſhall think fit.

Once in three years.

VI. *ſect.* 6. Provided that no commiſſion by virtue of this act, ſhall be directed or iſſue for valuation into any one pariſh of any houſes hereafter to be built, oftner than once in three years.

Fine and impriſonment.

VII. *ſect.* 11. Such puniſhment as by this act may be impoſed by the lord lieutenant, or chief governors and council, upon church-wardens for neglecting their duties required by this act, ſhall not extend to any other kind of puniſhment than by fines or impriſonment, not to exceed five pounds, and ſuch impriſonment not to exceed one month at any time for one offence, and the ſame to continue without bail or mainprize, if they ſhall ſo think fit.

Monaſteries.

Religious-houſes veſted in the King.

I. *Stat.* 28 *Hen.* 8. *cap.* 16. *ſect.* 1. His Majeſty ſhall have the monaſteries and religious houſes of the Bectif, Saint Peters beſides Trim, Duſke, Dulſk, Holmpatrick, Baltinglaſs, Grane, Taghmolin, Dunbrody, Tenterne, the priory of Ballybogan, and the abbey of the Hogges and Ferns, and ſhall have all the ſites of every ſuch religious houſe, and all the manors, granges and meaſes, lands, tenements, reverſions, rents, ſervices, tithes, penſions, portions, churches, chapels, advowſons, parſonages, annuities, rights, intereſts, conditions, and other hereditaments belonging to every of the ſaid monaſteries or religious houſes, in as ample manner as the abbots or other governors of the ſaid monaſteries and religious houſes, within the year before the making of this act enjoyed in the right of their ſaid houſes, and his Highneſs ſhall have all monaſteries and religious houſes, not being already given to any perſons by letters patent, which at any time within two years before the making of this act, hath been given to his Majeſty, or that hath been ſuppreſſed or diſſolved, and all the lands, &c. and other intereſts and hereditaments to the ſame monaſteries or religious houſes belonging, which his Highneſs hath not granted to any perſons by his letters patent as is aforeſaid, to have and to hold the premiſſes, unto the King, his heirs

heirs and ſucceſſors, for ever knit and united to the imperial crown of England, to do therewith their own wills.

II. *ſect.* 2. All perſons and bodies politic which ſhall have any letters patent of the King of any the ſites, lands, &c. tithes, advowſons, &c. and other hereditaments which *appertain* to any monaſteries or religious houſes, ſuppreſſed or diſſolved by this preſent act, ſhall enjoy the ſaid ſites, lands, &c. and all other hereditaments, according to the tenors of ſuch letters patent, and ſhall have all ſuch actions and remedies for any things contained in ſuch letters patent, in like manner as the abbots and governors of every religious houſe which had the ſame, might have had. Ability of the grantees.

III. *ſect.* 3. Saving to every perſon other than the abbots and governors of the ſaid religious houſes, and ſuch as pretended to be founders, patrons, or donors to the ſaid monaſteries or religious houſes, all right. Saving of right.

IV. *ſect.* 8. Saving to founders, patrons, or donors, of any of the ſaid monaſteries or religious houſes that ſhall be ſuppreſſed, all ſuch rights, rents, annuities, fees, offices, leaſes, commons, proxies, penſions, and ſynodals, and all other profits which any of them have without fraud or covin by any means, otherwiſe than by reaſon of the diſſolution of the ſaid monaſteries or religious houſes. Saving to donors and founders.

V. *ſect.* 9. All perſons, bodies politic and corporate, to whom the King ſhall grant or demiſe any ſites or precinct, with the houſes thereupon builded, together with the domains of any the ſaid monaſteries or religious houſes that ſhall be diſſolved, and their ſucceſſors, executors, and aſſigns, ſhall be bounden to keep an honeſt fermours houſhold in the ſame, according to the quantity of the demaines of the ſame. Keeping hoſpitality.

VI. *ſect.* 10. If any perſons, bodies politic or corporate, that ſhall be bounden by this act, do not keep ſuch an honeſt fermours houſhold, they ſo offending ſhall forfeit to the King for every quarter of a year doing the contrary, an hundred ſhillings, to be recovered to his uſe in every of his courts of record. Forfeiture.

VII. *ſect.* 11. Juſtices of peace in every ſhire, ſhall in every quarter-ſeſſions inquire of the premiſſes, and ſhall hear and determine the ſame, and tax and ceſs no leſs fine for every of the ſaid offences than is afore limited, and eſtreates thereof to be made and certified in the exchequer. *Eng. Stat.* 27 *Hen.* 8. *cap.* 28. Juſtices to enquire.

VIII. *Stat.* 28 *Hen.* 8. *cap.* 23. The King, his heirs and ſucceſſors, ſhall have, as annexed and united to their imperial crown of England, the parſonage and church of Dongarvan, and alſo the parſonages and churches of Rennegenagh, Kinſalbeg, Arglas, Glaſſmore, Amane, Whitchurch, Tampleavin, Aview, Kylronon, Roſſmore, Lyſgenan, together with the patronages, advowſons, and gifts of the vicarages of the ſaid churches, and all other churches and chapels, advowſons and patronages, and all lands, tenements, diſmes, oblations, and commodities, to the ſaid parſonages, churches, advowſons, and patronages belonging, which were appropriated to the monaſtery of Kentſhame in England. Perſonages given to the King.

IX. *Stat.* 33 *Hen.* 8. *ſeſſ.* 2. *cap.* 5. *ſect.* 3. All monaſteries, and all religious houſes and places, which ſhall be diſſolved, given up, or by other means come to the King, and alſo all the ſites, lands, &c. tithes, penſions, appropriate vicarages, churches, chapels, advowſons, patronages, &c. and other hereditaments appertaining to the ſame, whenſoever they ſhall be diſſolved, given up, or by any other mean come unto the King, ſhall be veſted in the actual and real ſeiſin of the King. Actual ſeiſin.

X. *ſect.* 4. Saving to all perſons, and bodies politic, other than the governors and governeſſes of the ſaid late monaſteries, hoſpitals, and other religious houſes and places, and ſuch as pretend to be founders, patrons, or donors of the ſaid religious houſes, Saving of rights.

houſes, and alſo other than ſuch perſons which be barred, and whoſe right be not ſaved in the laſt parliament, all ſuch right, &c. and other profits which they have in the premiſſes, in ſuch manner as if this act had never been made; rents, ſervices, and rents ſecks, and all other ſervices and ſuits which were due to any perſons out of the premiſſes only excepted out of this clauſe of ſaving above ſpecified.

Diſcharged from tithes.

XI. *ſect.* 26. As well the King, as all perſons, their heirs and aſſigns, which ſhall have any monaſteries, or other religious houſes and places, or any manors, meſſuages, parſonages appropriate, tithes, penſions, portions, and other hereditaments, which belonged to the ſaid monaſteries, and other religious houſes, ſhall have and enjoy as well the ſaid parſonages appropriate, tithes, penſions, portions, as the ſaid monaſteries and other religious houſes and places, lands, and other hereditaments, according to their eſtates and titles diſcharged and acquitted of payment of tithes, in as ample manner as the late abbots, and other governors and governeſſes, or any of them had or enjoy the ſame at the days of their diſſolution.

Saving.

XII. *ſect.* 27. Saving to the King all manors, rents, ſervices and other duties.

Juriſdiction of ordinaries.

XIII. *ſect.* 28. Such of the late monaſteries, religious houſes and places, and all churches and chapels to them belonging, which before the diſſolution were exempted from the viſitation and other juriſdictions of the ordinaries within whoſe dioceſe they be ſituated, from henceforth ſhall be within the juriſdiction and viſitation of the ordinary within whoſe dioceſe they be ſituated, or within the juriſdiction or viſitation of ſuch perſons as ſhall be by the King appointed. *Eng. Stat.* 31 *Hen.* 8. *cap.* 13.

Money.

Treaſon.

I. *Eng. Stat.* 3 *Hen.* 5. *cap.* 6. Clipping, waſhing, and filing of money, ſhall be adjudged treaſon.

Juſtices of Aſſiſes.

II. *Eng. Stat.* 3 *Hen.* 5. *cap.* 7. The juſtices aſſigned to take aſſiſes ſhall have power to hear and determine, as well of the counterfeiting, and of the bringing of falſe money into the realm, as of clipping, waſhing, and every other falſity of the money.

Juſtices of peace.

(2) And the juſtices of peace ſhall have power to inquire of all ſuch matters, and thereupon to make proceſs by *capias* only againſt thoſe which ſhall be thereof indicted.

Revived 5 Eliz. cap. 11.

Clipped money.

III. *Stat.* 3 *Edw.* 4. *cap.* 3. Money clipped ſhall not be taken in payment, but be damned and determined no coin of the King, and it ſhall be lawful to every man to refuſe the ſame, and proclamation ſhall be made in parliament, and upon the ſame proclamation writs ſhall be directed to the ſheriffs, mayors, bailiffs, ſovereigns, portriffs, and all other officers and miniſters, to make proclamation upon this preſent act.

Counterfeiting foreign coin.

IV. *Stat.* 28 *Eliz. cap.* 6. If any perſons counterfeit any ſuch kind of coin of gold or ſilver *of other realms* as is not the proper coin of this realm, nor permitted to be current within this realm, every ſuch offence ſhall be adjudged miſpriſion of high treaſon, and the offenders therein, their procurers, aiders, and abettors, being convicted of ſuch offences, ſhall be impriſoned, and forfeit ſuch lands, goods, and chattles as in caſes of miſpriſion of treaſon.

V. *Stat.*

V. *Stat.* 8 *Ann. cap.* 6. *ſect.* 1. No perſon except perſons employed in his Majeſty's mints, for the uſe of the mints only, or perſons authorized by the treaſury, ſhall knowingly make or mend, or aſſiſt in the making or mending of any puncheon, counter-puncheon, matrix, ſtamp, dye, pattern, or mould of ſteel or other metal, or of ſpaud, or fine founders earth, or ſand, or other materials, in which there ſhall be the figure of either ſide, or flat of any gold or ſilver coin current, nor ſhall knowingly make or mend, or aſſiſt in the making or mending of any edger or edging tool, not of common uſe in any trade, but contrived for marking of money round the edges with letters, grainings, or other marks reſembling thoſe on money, nor any preſs for coinage, nor any cutting engine for cutting round blanks by a ſcrew out of flatted bars of gold, ſilver, or other metal, nor ſhall knowingly buy, ſell, or conceal, or without authority or ſufficient excuſe knowingly have in his cuſtody any ſuch puncheon, &c. Tools for coining.

(2) And if any perſon ſhall offend in the matters aforeſaid, ſuch offenders, their counſeliors, procurers, aiders, and abettors, ſhall be guilty of high treaſon. High treaſon.

VI. *ſect.* 2. If any perſon ſhall without authority knowingly convey or aſſiſt in the conveying out of his Majeſty's mint, any puncheon, or other inſtrument uſed about the coining of monies there, or any uſeful part of ſuch inſtruments, as well the perſons offending, their counſellors, procurers, aiders, or abettors, as alſo all perſons knowingly receiving or concealing the ſame, ſhall be guilty of high treaſon. Conveying tools from the mint.

VII *ſect.* 3. If any perſon other than the perſons employed in his Majeſty's mints, or ſuch as ſhall have authority from the treaſury, ſhall mark on the edges any current coin, or if any perſon ſhall mark on the edges any diminiſhed or counterfeit coin, with letters or grainings like thoſe on the edges of money coined in his Majeſty's mint, ſuch offence ſhall be high treaſon, and the offenders, their counſellors, procurers, aiders, and abettors, being convicted, ſhall ſuffer death as in caſe of high treaſon. Marking the edges of coin.

VIII. *ſect.* 4. If any perſon ſhall colour, gild, or caſe over with gold or ſilver, or with any waſh or materials producing the colour of gold or ſilver, any coin reſembling the current coin, or any round blanks of baſe metal, or of courſe gold or ſilver, of a fit ſize and figure to be coined, or ſhall gild over any ſilver blanks of a ſize and figure reſembling the current gold coin, ſuch perſons, their counſellors, &c. ſhall be guilty of high treaſon. Gilding or Silvering blanks.

IX. *ſect.* 5. If any puncheon, dye, ſtamp, edger, cutting engine, preſs, flaſk, or other inſtrument for coining or counterfeiting gold or ſilver monies, or any part of ſuch tool, ſhall be hid in any place, or found in the houſe or poſſeſſion of any perſon not employed in coining in his Majeſty's mints, nor having the ſame by authority, any perſons diſcovering are required to ſeize the ſame, and to carry them to ſome juſtice of peace, to be produced in evidence againſt any perſon who ſhall be proſecuted for ſuch offence, and after they ſhall have been produced in evidence, they ſhall by order of the court, or in the preſence of ſome juſtice of peace, in caſe there be no trial, be deſtroyed. Keeping tools for coining.

(2) And if any counterfeit or diminiſhed money ſhall be produced in any court of juſtice, in evidence or otherwiſe, the judges ſhall cauſe ſuch monies to be cut in pieces in court, or in the preſence of ſome juſtice of peace, and then to be delivered to ſuch perſons to whom the ſame ſhall appertain. Cutting counterfeit money.

X. *ſect.* 6. If any perſon ſhall blanch copper for ſale, or mix blancht copper with ſilver, or knowingly buy or ſell, or offer to ſale, blancht copper alone, or mixt with ſilver, or ſhall knowingly and fraudulently buy or ſell, or offer to ſale, any malleable compoſition, which ſhall be heavier than ſilver, and look, and touch, and wear like gold, but be worſe than ſtandard, or ſhall take, pay, or put off any counterfeit mil- Blanching copper, &c.

led

led money, or milled money unlawfully diminiſhed, and not cut in pieces, at a lower rate than the ſame ſhall import, ſuch perſon ſhall be guilty of felony.

No corruption of blood, &c.

XI. *ſect.* 7. This act ſhall not make any corruption of blood, or make the wife of any offender to looſe her dower, and perſons accuſed of offences made treaſon or felony by this act, ſhall be tried by ſuch evidence, and in ſuch manner, as any offenders for counterfeiting the King's money. *Eng. Stat.* 8 & 9 *Will.* 3. *cap.* 26.

Defacing diminiſhed money.

XII. *ſect.* 8. It ſhall be lawful for any perſon to whom ſilver money ſhall be tendered, any piece whereof ſhall be diminiſht otherwiſe than by reaſonable wearing, or that by the ſtamp, colour, or weight thereof, he ſhall ſuſpect to be counterfeit, to cut or deface ſuch piece; and if any piece ſo cut, &c. ſhall appear to be counterfeit, the perſon tendering the ſame ſhall bear the loſs.

Lawful money.

(2) But if the ſame ſhall be of due weight and lawful money, the perſon that broke or defaced the ſame, ſhall take the ſame at the rate it was coined for.

Queſtions how determined.

(3) And if any queſtion ariſe, whether the piece be counterfeit, it ſhall be heard and determined by the mayor, bailiff, or other chief officer of any city or town corporate where ſuch tender ſhall be made; and if out of any city, &c. then by the next juſtice of peace.

Officers of revenue.

XIII. *ſect* 9. All the officers and miniſters concerned in the receipt of her Majeſty's revenue, are required to cut, break, or deface every piece of counterfeit or unlawfully diminiſht ſilver money, tendered in payment to them for the uſe of her Majeſty, or for any part of the revenue. *Eng. Stat.* 9 & 10 *Will.* 3. *cap.* 21.

Printed proclamation.

XIV. *ſect.* 10. The printed proclamation ordering, publiſhing, and declaring the currency, and aſcertaining the rates and value of foreign coin in this kingdom, ſhall be adjudged ſufficient evidence in all courts of juſtice of the currency of ſuch coin, and that the ſame is intended to be preſerved by this act from being counterfeited, as if the original proclamation under the great ſeal of this kingdom were produced.

Certified by the clerk of the council.

XV. *ſect.* 11. Provided that the clerk of the council or his deputy, do certifie under his hand and ſeal on the back of ſuch proclamation, that the original proclamation under the great ſeal agrees *verbatim* with the printed proclamation whereon he writes ſuch certificate; which proclamations and certificates thereon indorſed, the clerks of the council or his deputy are required to ſend as proclamations relating to the currency of coin ſhall iſſue, to the ſeveral clerks of the crown in this kingdom, without fee or reward.

This act is made perpetual by Stat. 4 Geo. 1. cap. 9. ſect. 5.

Mortgages.

Notice of former ſecurities.

I. *Stat.* 9 *Will.* 3. *cap.* 36. *ſect.* 1. If any perſon ſhall borrow money, or for any other valuable conſideration for the payment thereof, voluntarily give, acknowledge, or ſuffered to be entered againſt them, judgments, ſtatutes or recognizances, to any creditors; and ſhall afterwards borrow money of any other perſons, or for other valuable conſideration become indebted, and ſhall mortgage their lands to the other creditors, or to any other perſons in truſt for ſuch other creditors, and ſhall not give notice to the ſaid mortgagees of the ſaid judgments, ſtatutes, or recognizances, in writing under their hands, before the execution of the ſaid mortgages, unleſs ſuch mortgagors upon notice to them, given by the mortgagees or their executors, adminiſtrators, or aſſigns, in writing under their hands and ſeals atteſted by two ſufficient witneſſes of ſuch former judgments, ſtatutes, or recognizances, ſhall within ſix months after ſuch notice given, diſcharge the ſaid judgments,

judgments, ſtatutes or recognizances, and all intereſt and charges due thereupon, and procure the ſame to be vacated by record; the mortgagors of the ſaid lands or their heirs, executors, adminiſtrators, or aſſigns, ſhall have no benefit or remedy againſt the mortgagees, or their heirs, executors, adminiſtrators, or aſſigns, for redemption of the ſaid lands. Equity of redemption.

II. *ſect.* 2. If any perſons who have once mortgaged any lands for ſecurity of money lent, or for other valuable conſiderations, ſhall again mortgage the ſame lands, or any part thereof, to any other perſons for valuable conſiderations, the ſaid former mortgage being in force and not diſcharged, and ſhall not diſcover to the ſaid ſecond or other mortgagees, the former mortgages in writing under their hands, the ſaid mortgagors ſhall have no equity of redemption againſt the ſaid ſecond, or after mortgagees upon the ſaid after mortgages. Prior mortgages.

III. *ſect.* 3. If there be more than one mortgage at the ſame time made of the ſame lands, the ſeveral under mortagees ſhall have power to redeem any former mortgagees, upon payment of the principal debt, intereſt, and coſts of ſuit to the prior mortgagees. Redeeming former mortgages.

IV. *ſect.* 4. Nothing in this act ſhall be extended to bar any widow of any mortgagor of lands from her dower and right in the ſaid lands, who did not legally join with her huſband in ſuch mortgage, or otherwiſe lawfully bar herſelf from ſuch her dower or right. *Eng. Stat.* 4 *&* 5 *Will. & Mar. cap.* 16 No bar of dower.

V. *Stat.* 7 *Geo.* 2. *cap.* 14. *ſect.* 1. Upon all bills of foreclоſure filed in either of the courts of chancery or exchequer, where it ſhall appear to the court where ſuch bill is filed by affidavit, that the parties neceſſary to be ſerved in ſuch ſuit do abſcond, or are out of the kingdom, ſo as they cannot be ſerved with the proceſs of the ſaid courts, to compel them to appear and anſwer ſuch bills, but have been in the kingdom within twelve calendar months next preceding ſuch affidavit, it ſhall be lawful for the ſaid courts to order, that ſervice of the tenants of the mortgaged premiſſes, or of the known agent or receiver of the rents of the ſaid mortgaged premiſſes, and at the laſt place of abode of ſuch perſons ſo abſconding, or being out of the kingdom, with proceſs of ſubpœna to anſwer ſuch bills, ſhall be deemed good ſervice of ſuch parties. Bills of foreclоſure. Service of proceſs.

(2) And upon ſuch parties neglecting to appear, or not anſwering ſuch bills, in four terms after ſuch ſervice, the plaintiffs may proceed in ſuch ſuits, to have ſuch bills taken *pro confeſſo*, in the ſame manner as if the defendants had appeared upon ſervice, and the court ſhall make ſuch decree therein as the nature of the caſe will permit, and ſuch further orders as ſhall be proper for the carrying ſuch decree into execution. Bill taken *pro confeſſo*.

VI. *ſect.* 2. If any perſons file any bills of foreclоſure in any court of equity in this kingdom, againſt any perſons having an eſtate, and not being reſident in this kingdom, in caſe it ſhall appear by affidavit to the courts where ſuch bills ſhall be filed, that ſuch defendants are out of this kingdom, and have been ſo for the ſpace of twelve calendar months next preceding ſuch affidavit, it ſhall be lawful for ſuch courts to order that ſervice of a ſubpœna to appear and anſwer ſuch bills, upon the ſteward, agent, receiver, or manager of ſuch defendants, and leaving a copy thereof at the laſt place of abode in this kingdom of ſuch defendants, if any place of abode they ever had, and the ſame can be found, be deemed good ſervice of ſuch defendants ſo living out of the kingdom. Perſons out of the kingdom.

(2) And upon ſuch defendants neglecting to appear, or not anſwering ſuch bills within four terms after ſuch ſervice, the plaintiffs may proceed in ſuch ſuits to have ſuch bills taken *pro confeſſo*, in the ſame manner as if ſuch defendants had appeared upon ſuch ſervice, and the court ſhall make ſuch decree therein as the nature of the Bill *pro confeſſo*.

caſe will permit, and make further orders therein as ſhall be proper for the carrying ſuch decree into execution.

Liberty to make defence.

VII. *ſect.* 3. Where any decree ſhall be made as herein before is mentioned, if the defendants or their legal repreſentatives, ſhall within the ſpace of two years after perſonal ſervice of ſuch decree, or in caſe there ſhall not be perſonal ſervice, then within ſeven years after the making ſuch decree, pay or give ſuch ſecurity as the court where ſuch decree was made ſhall approve of, to pay the coſts which the plaintiff has neceſſarily been at, and apply to the court to be let in to appear and anſwer ſuch bill, and make ſuch defence as the nature of the caſe will permit, the ſaid court ſhall permit them to appear, anſwer, and make defence, and in ſuch caſe there ſhall be the ſame proceedings, decree, and execution, as might have been in caſe the defendants had originally appeared, and the proceedings had been then newly begun, and there had been no former decree or proceedings; and if no defence ſhall be made within the reſpective times before mentioned, ſuch decrees ſhall be abſolute and final.

Witneſs *de bene eſſe*.

VIII. *ſect.* 4. If any bills be taken *pro confeſſo*, for default of appearance according to the directions aforeſaid, in all ſuch caſes within this act, it ſhall be lawful for any plaintiffs after ſuch bills are taken *pro confeſſo*, to give notice in ſuch manner as herein before is directed to compel an appearance, that they intend to examine witneſſes in two months after ſuch notice, which notice being given, and the ſervice thereof made appear by affidavit to be lodged with the proper officer, and the time limited being run out, the plaintiffs may by order and leave of the court, examine witneſſes *de bene eſſe*, as well to the proof of any exhibits, as to any other matter neceſſary to be proved in the cauſe, but ſuch depoſitions ſhall not be publiſhed without the ſpecial order of the court.

In caſe of death of witneſſes.

IX. *ſect.* 5. In caſe after ſuch bills ſhall be taken *pro confeſſo*, the defendants do come in and anſwer in ſuch manner as is before directed, and in caſe any of the witneſſes who have been examined on behalf of ſuch plaintiffs ſhall happen to die, and that the plaintiffs would have had reaſon to examine ſuch perſons if iſſue had been joined in the cauſe; then the depoſitions of ſuch perſons ſo deceaſed, ſhall be good and effectual to all intents, as if iſſue had been regularly joined in the cauſe, and ſhall be made uſe of on the hearing, but the ſeveral witneſſes who were examined and are living, ſhall be re-examined, and not only to ſuch matters as they were formerly examined to, but to ſuch other matters which may ariſe from the nature of the defence made by ſuch defendant on the circumſtances ariſing thereupon.

Former depoſitions ſuppreſſed.

X. *ſect.* 6. So ſoon as the witneſſes living who have been examined, be again examined, and their depoſitions taken, the former depoſitions and the proofs made by them before ſuch re-examination, ſhall be null and void and ſtand ſuppreſſed, and the ſame ſhall not be copied or publiſhed.

Mortmain.

Lands to religious houſes.

I. *Eng. Stat.* Magna charta, 9 *Hen.* 3. *cap.* 36. It ſhall not be lawful to give lands to any religious houſe. If any man ſo give his lands to any religious houſe, and be convict, the gift ſhall be void, and the land ſhall return to the lord of the fee.

Appropriate lands forfeited.

II. *Eng. Stat.* of mortmain, 7 *Edw.* 1. No perſon ſhall preſume to buy or ſell lands, or by any craft or engine to appropriate lands, under pain of forfeiture of the ſame, whereby ſuch lands may come into mortmain.

(2) If

(2) If any perſon offend againſt this ſtatute, it ſhall be lawful to the lords of the fee to enter into the ſame within a year from the time of the alienation, and to hold it in fee; and if the chief lord immediate will not enter within the year, it ſhall be lawful to the next chief lord to enter within half a year next; and ſo every lord mediate may enter, if the next immediate lord to him be negligent. Entry to the chief lord, &c.

(3) And if all the lords of ſuch fees, which be of full age, within the four ſeas, and out of priſon, be negligent, the King after the year accompliſhed ſhall take ſuch lands, and enfeoff other therein by ſervices for the defence of the realm; ſaving to the lords their eſcheats and ſervices. Right of the King.

III. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 32. Whereas eccleſiaſtical perſons do implead, and the party maketh default whereby he ought to loſe the land, it is ordained, that after the default made, it ſhall be inquired by the country, whether the demandant had right; and if it be found that he had, he ſhall recover ſeiſin; and if he had no right, the land ſhall incur to the lord of the fee, if he demand it within a year from the time of the inqueſt taken; and if he do not demand it, it ſhall incur to the next lord above, if he demand it within half a year; and ſo every lord after the lord immediate ſhall have half a year, until it come to the King. Eccleſiaſtical perſons.

(2) And to challenge the jurors of the inqueſt, the lords of the fees ſhall be admitted, and likewiſe for the King; and after judgment given, the land ſhall remain in the King's hands until it be deraigned by the demandant, or ſome other chief lord, and the ſheriff ſhall anſwer therefore at the exchequer. Challenge to jurors.

IV. *Eng. Stat.* Quia emptores terrarum, 18 *Edw.* 1. *ſtat.* 1. *cap.* 3. By the purchaſes permitted by this ſtatute, (*See Tit.* **Tenures**) ſuch lands ſhall in no wiſe come into mortmain. Purchaſes permitted

V. *Eng. Stat.* of amortizing land, 34 *Edw.* 1. *ſtat.* 3. Touching the grant of the King to be obtained upon inqueſts returned for lands to be put into mortmain, nothing ſhall be done (where there be any lords meſne) except the religious perſons can ſhew the King their aſſent under their patents; and nothing ſhall paſs where the donor retaineth nothing to himſelf; and where inquiſitions be made without warrant, viz. without the writ original returned with the inquiſition, and except the writ make mention of every thing according to the new ordinance, *which ſee in Tit.* **Franchiſes.** Grants of the King.

VI. *Eng. Stat.* 18 *Edw.* 3. *ſtat.* 3. *cap.* 3. If prelates or clerks beneficed which have purchaſed lands, and the ſame have put to mortmain, be impeached before juſtices, and they ſhew a charter of licence, and proceſs thereupon made by inqueſt of *ad quod damnum*, *&c.* they ſhall be let in peace; and in caſe they cannot ſhew that they have entered by due proceſs, they ſhall be received to make fine. Licence to purchaſe.

VII. *Eng. Stat.* 15 *Rich.* 2. *cap.* 5. Whereas ſome ſpiritual perſons have entered in lands adjoining to their churches, and of the ſame by ſufferance of the tenants have made church-yards, and by bulls of the biſhop of Rome have hallowed the ſame without licence of the King and of the lords; it is declared that it is within the ſtatute 7 *Edw.* 4. and no purchaſe ſhall be made, ſo as ſpiritual perſons take the profits upon pain of forfeiture. Lands hallowed.

(2) And the ſtatute ſhall be kept of all lands, advowſons and other poſſeſſions, to be purchaſed to the uſe of fraternities; and mayors, bailiffs and commons of cities and towns that have a perpetual body, and others which have offices perpetual, ſhall not purchaſe upon the pain contained in the ſtatute. Statutes to be kept.

Misfortune only found.

I. *Eng. Stat.* Marleb. 52 *Hen.* 3. *cap.* 26. Murder ſhall not be adjudged where it is found misfortune only, but it ſhall take place in ſuch as are ſlain by felony, and not otherwiſe.

Impriſonment till trial.

II. *Eng. Stat.* Glouc. 6 *Edw.* 1. *cap.* 9. No writ ſhall be granted for the death of a man to enquire whether a man did kill another by misfortune, or in his own defence, or in other manner without felony, but he ſhall be put in priſon until the coming of the juſtices in *eyre*, or juſtices aſſigned to the goal delivery, and ſhall put himſelf upon the country.

Self defence, &c.

(2) And in caſe it be found that he did it in his defence or by misfortune, then by the report of the juſtices, the King ſhall take him to his grace.

Abatement of appeal.

(3) Alſo no appeal ſhall be abated ſo ſoon as heretofore, but if the appealor declare the deed, the year, the day, the hour, time of the King, and the town where the deed was done, and with what weapon he was ſlain, the appeal ſhall ſtand in effect, and ſhall not be abated for default of freſh ſuit, if the party ſue within the year and day.

Townſhip amerced.

III. *Eng. Stat.* 3 *Hen.* 7. *cap.* 1. If any man be ſlain in the day and the felon not taken, the townſhip ſhall be amerced; and if any man be wounded in peril of death, the party that wounded, ſhould be arreſted and put in ſurety till knowledge be had, whether he ſo hurt ſhould live or die.

Coroners inquiry.

(2) And the coroner upon the view of the body dead, ſhould inquire of them that had done that death, or their abettors and conſenters, and who were preſent, and the names of them that were preſent, and ſo found to inrol and certify. Every coroner ſhall do his office according to law as is afore rehearſed.

Indictment at the King's ſuit.

(3) And if any man be ſlain, and the ſlayers, murderers, abettors, maintainers, and comforters be indicted, they and all other acceſſories ſhall be arraigned and determined of the King's ſuit within the year, and not tarry the year and day for any appeal. And if any perſon named as principal or acceſſory, be acquitted at the King's ſuit within the year and day, the juſtices ſhall not ſuffer him to go at large, but either remit him to priſon, or let him to bail till the year and day be paſſed.

Appeal after acquittal.

(4) And if the felons or acceſſories be acquitted, or the principal of the felony, or any of them attainted, the wife or next heirs to him ſo ſlain, may have their appeal within the year and day after the murder done, againſt the ſaid perſons ſo acquitted and all their acceſſories, or againſt the acceſſories of the principal, or any of them ſo attainted, or againſt the ſaid principals attainted, and the benefit of clergy not had. And the appellant ſhall have like advantages as if the acquittal or attainder had not been. And the wife or heir may commence their appeal in perſon before the ſheriff and coroners, or before the King in his bench or juſtice of gaol-delivery.

Attornies in appeal.

(5) And the appellant in appeals of murder, where battle lieth not, may make their attornies, and appear by the ſame in the appeals after they be commenced, to the end of the ſuit and execution.

Amercement of townſhips.

(6) And if any perſon be ſlain in the day and the murderer eſcape, the townſhip ſhall be amerced, and the coroner ſhall inquire thereof upon the view of the body dead.

Inquiry of eſcapes.

(7) And juſtices of peace have power to inquire of ſuch eſcapes, and to certifie afore the King in his bench; and after the felony found, the coroners ſhall deliver their inquiſitions afore the juſtices of the next goal delivery in the ſhire; the juſtices to proceed againſt ſuch murderers if they be in the gaol, and elſe the juſtices ſhall put the inquiſitions afore the King in his bench.

(8) And

(8) And a coroner ſhall have for his fee, upon every inquiſition taken upon the view of the body ſlain 13 s. 4 d. of the goods of the ſlayer, and if he have no goods, the coroner ſhall have his fee of ſuch amercements as any townſhip ſhall be amerced for the eſcape of ſuch murderers. And if any coroner be remiſs, &c. he ſhall forfeit to the King 100 s. *See other part of this act in* **Juſtices of peace.** Fees of coroners.

IV. *Stat.* 10 *Hen.* 7. *cap.* 11. If any ſhall take any money or amends for the death or murder of his friend or kinſman, and be convicted thereof, he ſhall have judgment *de vie & de member.* Taking amends.

(2) And when murder or robbery is committed, hue and cry ſhall be levied according to the ſtatute of Wincheſter, on pain in the ſaid ſtatute. Hue an cry.

V. *Stat.* 10 *Hen.* 7. *cap.* 21. If any perſon of malice pretenſed, do ſlay or murder, or procure any other perſons to ſlay or murder any of the King's ſubjects within this land of Ireland, *ſuch perſons ſhall* be deemed traitor attainted of high treaſon, likewiſe as it ſhould extend to our Sovereign Lord's perſon, and the chief lords *ſhall* have their eſcheats and forfeitures of all lands, &c. Murder high treaſon.

VI. *Stat.* 7 *Will.* 3. *cap.* 11. *ſect.* 1. Every perſon who ſhall ſtab or thruſt any perſon that hath not then any weapon drawn, or that hath not then firſt ſtricken the party which ſhall ſo ſtab or thruſt, ſo as the perſons ſo ſtabbed or thruſt ſhall thereof die within the ſpace of ſix months, although it cannot be proved that the ſame was done of malice forethought, yet the party ſo offending, and being thereof convicted, ſhall be excluded from the benefit of their clergy. Stabbing without malice.

VII. *ſect.* 2. This act ſhall not extend to any perſons which ſhall kill any perſon *ſe defendendo*, or by misfortune, or in any other manner than as aforeſaid, nor ſhall extend to any perſons who in keeping the peace ſhall chance to commit manſlaughter, ſo as the ſaid manſlaughter be not committed wittingly, and of purpoſe, under pretext and colour of keeping the peace, nor ſhall extend to any perſons which in chaſtiſing or correcting his child or ſervant, ſhall beſides their purpoſe, chance to commit manſlaughter. *Eng. Stat.* 1 *Jac.* 1. *cap.* 8. Exceptions.

VIII. *Stat.* 6 *Ann. cap.* 4. If any woman be delivered of any iſſue, which being born alive ſhould be a baſtard, and that ſhe endeavour privately either by drowning or ſecret burying thereof, or any other way, either by herſelf, or the procuring of others ſo to conceal the death thereof, as that it may not come to light whether it were born alive or not, but be concealed, the mother ſo offending ſhall ſuffer death as in caſe of murder, except ſuch mother can make proof by one witneſs that the ſaid child was born dead. *Eng. Stat.* 21 *Jac.* 1. *cap.* 27. Death of baſtard children.

IX. *Stat.* 9 *Ann. cap.* 4. Nothing in the act 10 *Hen.* 7. *cap.* 21. ſhall be taken to bar or take away the right of any perſons from bringing appeals of murder, but that ſuch appeals of murder may be brought, and ſuch proceſs, proceedings and judgment may be thereupon had, as might have been before making of the ſaid act. Saving for appeals.

Naturalization.

I. *Eng. Stat.* 25 *Edw.* 3. *ſect.* 2. The law of the crown of England is, that the children of the King in whatſoever parts they be born, be able to have the inheritance after the death of their anceſtors. King's children.

(2) And all children inheritable born without the King's legiance, which childrens father or mother at the time of their birth, ſhall be under the faith and legiance of the King, ſhall enjoy the ſame benefits to take inheritance within the ſame legiance Children of ſubjects,

as

as other inheritors, ſo that the mothers of ſuch infants do paſs over the ſea by the licence and good will's of their huſbands.

Plea of baſtardy. (3) And if it be alledged againſt any ſuch born beyond the ſea that he is a baſtard, in caſe where the biſhop ought to take cognizance of baſtardy, the biſhop of the place where the land demanded is, ſhall be commanded to certifie the King's court where the plea dependeth, as in ancient time it hath been uſed, in caſe where baſtardy is alledged againſt them which be born in England.

Merchants and others ſettling. II. *Stat.* 14 & 15 *Car.* 2. *cap.* 13. *ſect.* 1. All perſons of the proteſtant religion, and all merchants and dealers in any goods, artificers or mariners, who ſhall tranſport their ſtocks and families into this kingdom with intention that themſelves and children after them will abide there, ſhall after their arrival with their ſtock and families, and after their taking the oaths to the king before the lord chancellor, or the lords preſidents or vice-preſidents of the province of Munſter and Conaught, or any judge in his circuit, who are authorized to adminiſter the ſaid oaths, and thereupon to certifie their doing thereof unto chancery, there to remain on record, *be* adjudged in every reſpect natural ſubjects of this kingdom, as if they had been born within this kingdom.

May purchaſe lands. (2) And their wives and children ſhall enjoy the benefit of all the laws and cuſtoms of this kingdom, in the ſame manner as natural born ſubjects may, and they ſhall have liberty to acquire and purchaſe, or receive by gift or otherwiſe, lands, rents, ſervices, offices, hereditaments, and other goods real and perſonal, as well by any of their anceſtors and predeceſſors acquired and purchaſed, or to them granted, conveyed or aſſured, or which ſhall be granted or ſhall come as heirs to their anceſtors lineally or collaterally, by deſcent, remainder, reverſion, or any other title, gift or conveyance, or which ſhall deſcend to them, and the ſame to inherit by right of inheritance or otherwiſe without let and impediment; and alſo to proſecute, maintain, avow, and defend all manner of actions, &c. as any other perſons naturally born within this kingdom may do.

Number of apprentices, III. *ſect.* 6. No ſtranger born out of the King's obeiſance uſing any trade, manufactory, or occupation, and inhabiting within any of the cities, boroughs and liberties thereof, ſhall at any one time retain and keep in their ſervices any apprentices or journeymen, or covenant ſervants, above the number of ſix beſides their ſons or daughters, who are all to be proteſtants, or elſe proteſtant ſubjects, and born under his obeiſance, upon pain to loſe their freedom, and to forfeit for every ſuch apprentice, journeyman, or other ſervant that they ſhall take or entertain above that number, ten pounds, the one half ſhall be to the King, and the other half to them that ſhall ſue in any of the King's courts of record, or before any judges of aſſiſe in their reſpective circuits, by bill, action of debt or information, wherein no eſſoiga, &c. ſhall be allowed.

This act, as far as it concerns the encouraging proteſtant ſtrangers, is revived and made perpetual by Stat. 4 Geo. 1. cap. 9. *except the clauſe which exempts them from exciſe. The clauſes by which freedom in cities,* &c. *is given to them, are inforced by the new rules.* See Tit. **Corporations**.

Born out of the realm. IV. *Eng. Stat.* 11 & 12 *Will.* 3. *cap.* 6. All perſons being the King's natural-born ſubjects may inherit as heirs, and make their titles by deſcent from any of their anceſtors lineal or collateral, although the father and mother, or other anceſtor of ſuch perſons through whom they derive their title, be born out of the King's allegiance.

V. *Brit. Stat.* 7 *Ann. cap.* 5. *ſect.* 3. The children of natural-born ſubjects born out of the legiance of her Majeſty, ſhall be deemed natural-born ſubjects. Children of ſubjects.

VI. *Brit. Stat.* 4 *Geo.* 2. *cap.* 21. *ſect.* 1. All children born out of the legiance of the crown of Great Britain, whoſe fathers ſhall be natural born ſubjects, ſhall by virtue of the act 7 *Ann. cap.* 5. and by this act be adjudged to be natural-born ſubjects of the crown of Great Britain. Fathers born ſubjects.

VII. *ſect.* 2. Nothing in the *ſaid* act, or in this act, ſhall make any children born out of the legiance of the crown to be natural-born ſubjects, whoſe fathers at the time of the birth of ſuch children were or ſhall be attainted of high treaſon by judgment, outlawry, or otherwiſe in this kingdom, or in Ireland, or were liable to the penalties of high treaſon or felony in caſe of their returning into this kingdom, or into Ireland, without the licence of his Majeſty, or were or ſhall be in the actual ſervice of any foreign prince or ſtate then in enmity with the crown of Great Britain. Perſons attainted.

VIII. *ſect.* 3. If any child, whoſe father at the time of the birth of ſuch child, was attainted of high treaſon, or was liable to the penalties of high treaſon or felony in caſe of returning into this kingdom or Ireland without ſuch licence, or was in ſuch foreign ſervice, except the children of ſuch perſons who left Ireland in purſuance of the articles of Limerick, hath come into any of the dominions of Great Britain, and hath continued to reſide therein for two years, at any time between the 16th of November 1708, and the 25th of March 1731, and during ſuch reſidence hath profeſſed the proteſtant religion, or if any child whoſe father at the time of his birth was within any of the ſaid deſcriptions, hath come into any of the King's dominions, and profeſſed the proteſtant religion, and died within the ſaid dominions, at any time between the 16th of November 1708, and the 25th of March 1731, or if any child whoſe father at the time of his birth was within any of the ſaid deſcriptions, hath continued in the actual poſſeſſion or receipt of the rents and profits of any lands, &c. in Great Britain or Ireland for one year, at any time between the times aforeſaid, or hath *bona fide*, &c. for valuable conſideration ſold, conveyed or ſettled any lands, &c. in Great Britain or Ireland, and any perſon claiming title thereto under ſuch ſale, &c. hath continued in ſuch poſſeſſion for ſix months, between the ſaid 16th of November 1708, and the 25th of March 1731, every ſuch child ſhall be deemed a natural-born ſubject of the crown of Great Britain. Exceptions.

IX. *Brit. Stat.* 13 *Geo.* 2. *cap.* 7. *ſect.* 1. All perſons born out of the legiance of his Majeſty, who inhabit for ſeven years in any of his Majeſty's colonies in America, and ſhall not have been abſent out of ſome of the ſaid colonies longer than two months at any one time during the ſaid ſeven years, and ſhall take and ſubſcribe the oaths, and repeat and ſubſcribe the declaration appointed by *Brit. Stat.* 1 *Geo.* 1. *cap.* 13. or being Quakers, make and ſubſcribe the declaration of fidelity, and affirm the effect of the abjuration oath appointed by *Brit. Stat.* 8 *Geo.* 1. *cap.* 6. and alſo make and ſubſcribe the profeſſion of his chriſtian belief appointed by *Eng. Stat.* 1 *Will. & Mar. ſtat.* 1. *cap.* 18. before the judge of the colony wherein ſuch perſons ſhall ſo reſide, ſhall be adjudged to be natural-born ſubjects. Reſidence in the plantations.

X. *ſect.* 2. No perſons except Quakers, or ſuch who profeſs the Jewiſh religion, ſhall be naturalized by virtue of this act, unleſs ſuch perſon ſhall have received the ſacrament of the Lord's Supper in ſome proteſtant congregation within Great Britain, or ſome of the ſaid colonies in America, within three months before his taking the oaths, &c. and ſhall at the time of taking the ſaid oaths, &c. produce a certificate ſigned by the perſon adminiſtring the ſaid ſacrament, and atteſted by two credible witneſſes, whereof an entry ſhall be made in the ſecretary's office of the Receiving the ſacrament,

colony wherein ſuch perſon ſhall ſo inhabit, as alſo in the court where ſuch oath ſhall be ſo taken, without fee.

Jews taking the oaths.

XI. *ſect.* 3. When any perſon profeſſing the Jewiſh religion, ſhall preſent himſelf to take the ſaid oath or abjuration, the words *upon the true faith of a chriſtian*, ſhall be omitted, and the taking and ſubſcribing the ſaid oath by ſuch perſons, without the words aforeſaid, and the other oaths, &c. in like manner as Jews were permitted to take the oath of abjuration by *Brit. Stat.* 10. *Geo.* 1. *cap.* 3. ſhall be ſufficient to intitle ſuch perſon to the benefit of being naturalized by this act.

Certificate of reſidence.

XII. *ſect.* 4. A certificate under the ſeal of any of the ſaid colonies, of any perſons having reſided for ſeven years as aforeſaid within the ſaid colonies, or ſome of them, to be ſpecified in ſuch certificate, with the particular time of reſidence in each, whereof the colony under the ſeal of which ſuch certificate ſhall be given, to be one, and of having taken and ſubſcribed the ſaid oaths, &c. within the ſame colony, under the ſeal whereof ſuch certificate ſhall be given, ſhall be a ſufficient proof thereof, and of his being a natural ſubject of Great Britain, and as ſuch ſhall be allowed in every court within Great Britain and Ireland, &c.

Not capable of offices, &c.

XIII. *ſect.* 6. No perſon who ſhall become a natural-born ſubject by virtue of this act, ſhall be of the privy council, or a member of either houſe of parliament, or capable of any office of truſt within Great Britain or Ireland, either civil or military, or taking any grant from the crown to himſelf, or in truſt for him, of any lands, &c. within Great Britain or Ireland.

Scrupling to take an oath.

XIV. *Brit. Stat.* 20 *Geo.* 2. *cap.* 44. *ſect.* 1. All foreign proteſtants, who conſcientiouſly ſcruple taking an oath, who ſhall reſide in any of his Majeſty's plantations in America, *as is required by Brit. Stat.* 13 *Geo.* 2. *cap.* 7. *in reſpect to other foreign proteſtants*, and ſhall qualify themſelves *as by the ſaid ſtatute is alſo required*, ſhall be deemed to be his Majeſty's natural-born ſubjects.

Certificate.

XV. *ſect.* 2. No perſon ſhall be naturalized by virtue of this act, unleſs he ſhall have received the Sacrament of the Lord's Supper and ſhall produce a certificate thereof *as is required by the ſaid act.*

Proviſion.

XVI. *ſect.* 3. The proviſions contained in the ſaid act 13 *Geo.* 2. *cap.* 7. with regard to certificates of reſidence and qualification, and as to the ſame being evidence in the courts of Great Britain and Ireland, &c. and all other benefits of the ſaid act, ſhall extend to foreign proteſtants, who ſcruple the taking an oath, and who ſhall be qualified as aforeſaid.

Benefit of the act, 4 G. 1.

XVII. *ſect.* 6. Nothing in this act or in the ſaid act 13 *Geo.* 2. ſhall extend to naturalize any perſon, who by virtue of an act 4 *Geo.* 2. *cap.* 21. is not intitled to the benefit of the act 7 *Ann. cap.* 5. but all ſuch perſons ſhall remain in the ſame ſtate as they would have been in if the ſaid act 13 *Geo.* 2. or this act had never been made.

Service on board Ship.

XVIII. *Brit. Stat.* 22 *Geo.* 2. *cap.* 45. *ſect.* 8. Every perſon born out of the legiance of his Majeſty, being a proteſtant, who ſhall ſerve for three years on board any ſhip of the King's ſubjects, which ſhall be fitted out as is directed by the act 6 *Geo.* 2. *cap.* 33. and employed in the fiſhery *to the* Greenland ſeas, &c. who ſhall take and ſubſcribe the oaths and declaration appointed by an act 1 *Geo.* 1. for the further ſecurity of his Majeſty's perſon and government, &c. in open court between nine and twelve of the clock in the forenoon, the ſame to be entered on record in the ſaid court, for which one ſhilling only ſhall be paid, he ſhall be deemed a natural-born ſubject of this Kingdom.

Receiving the ſacrament.

XIX. *ſect.* 9. No perſon ſhall be naturalized by virtue of this act, unleſs he ſhall have received the ſacrament of the Lords ſupper in ſome proteſtant or reform-

ed

ed congregation in his Majeſty's Dominions, within three months before his taking and ſubſcribing the oaths and declaration aforeſaid, and ſhall produce a certificate thereof, ſigned by the miniſter and two witneſſes, whereof an entry ſhall be made *gratis* in the court where ſuch oaths ſhall be taken, and ſhall alſo at the ſame time produce a certificate under the hands of the owner and maſter of the ſhip in which he ſerved, of his integrity and good behaviour, during the time of ſuch ſervice.

XX. *ſect.* 10. No perſon who ſhall be ſo naturalized, ſhall be of the privy council or a member of either houſe of parliament, or capable of enjoying any place of office civil or military within Great Britain or Ireland, or taking of any grant to himſelf, or to any other in truſt for him, of any lands, &c. within Great Britain or Ireland. Not capable of offices.

XXI. *ſect.* 11. No perſon ſhall be naturalized by virtue of this act, who by an act 4 *Geo.* 2. *cap.* 21. are declared not to be intitled to the benefit of the ſaid act; but all ſuch perſons ſhall remain in the ſame ſtate as if this act had not been made. Proviſions of 4 G. 1.

XXII. *ſect.* 12. If any perſon naturalized by virtue of this act, ſhall go out of Great Britain or Ireland, or his Majeſty's plantations in America, for more than twelve months at any one time, he ſhall loſe the benefit of this act.

XXIII. *Brit. Stat.* 25 *Geo.* 2. *cap.* 39. *ſect.* 1. The ſtatute 10 & 11 *Will.* 3. *cap.* 39. ſhall not extend to give any title to perſons to inherit as heirs or coheirs to any perſon dying ſeized of lands, &c. by enabling ſuch perſons to derive their pedigree through any alien anceſtor, unleſs the perſons deriving their title as heirs, &c. be in being, and capable to take the eſtate by virtue of the ſaid ſtatute, at the death of the perſon who ſhall laſt die ſeized, and to whom they ſhall ſo claim to be heirs. Title to inherit.

XXIV. *ſect.* 2. In caſe the perſons in being, and capable to take at the death of the anceſtor, and upon whom the deſcent ſhall be caſt by this or the ſaid act, ſhall be daughters of an alien, and the father or mother through whom ſuch deſcent ſhall be derived, ſhall afterwards have a ſon born in any of his Majeſty's dominions, the deſcent caſt upon ſuch daughters ſhall be diveſted in favour of ſuch ſon, and ſuch ſon ſhall inherit as in caſes of the birth of a nearer heir; and in caſe ſuch father or mother ſhall have no ſon, but ſhall have daughters afterwards born within his majeſty's dominions, the daughters ſo born afterwards, ſhall take in coparcenary with the daughters upon whom the deſcent ſhall be caſt upon the death of the anceſtor laſt ſeized. Daughters of Aliens.

News.

I. *Eng. Stat* Weſtm. 1. 3 *Edw.* 1. *cap.* 34. None ſhall publiſh or counterfeit any falſe news, whereby diſcord or ſlander may grow between the King and his people, or the great men of this realm. And he that ſo doth ſhall be kept in priſon, until he hath brought him forth into court which did ſpeak the ſame. Publiſhing falſe news.

II. *Eng. Stat.* 2 *Rich.* 2. *ſtat.* 1. *cap.* 5. Of counterfeiters of falſe news of prelates, dukes, earls, barons, and other nobles and great men of the realm, and alſo of the chancellor, treaſurer, clerk of the privy ſeal, ſteward of the King's houſe, juſtices of the one bench or of the other, and other great officers of the realm; it is defended, that none contrive or tell any falſe things of prelates, lords, and of other aforeſaid, whereof diſcord or ſlander might riſe within the realm; and he that doth the ſame ſhall be impriſoned, till he have brought him forth that did ſpeak the ſame. Prelates, Peers, &c.

Puniſhment. III. *Eng. Stat.* 12 *Ric.* 2. *cap.* 11. When any ſuch mentioned in the ſtatute *Weſtm.* 1. *cap.* 34. and 2 *Ric.* 2. *cap.* 5. is taken and impriſoned, and cannot bring him forth that did ſpeak the ſame, he ſhall be puniſhed by the advice of the council.

Niſi prius.

Inqueſt in vacation. I. *Eng. Stat.* 27 *Edw.* 1. *ſtat.* 1. *cap.* 4. Inqueſts and recognizances determinable before juſtices of either bench, ſhall be taken in time of vacation before any of the juſtices before whom the plea is brought, being aſſociate with one knight of the ſame ſhire, unleſs it be an inqueſt that requireth great examination. And in taking ſuch inqueſts the juſtices ſhall do as to them ſhall ſeem expedient, notwithſtanding the ſtatute. 13 *Edw.* 1. *cap.* 30. *See Tit.* **Juſtices of aſſiſe.**

Pleas of land. II. *Eng. Stat.* of York. 12 *Edw.* 2. *ſtat.* 1 *cap.* 3. Inqueſts and juries in pleas of land, that require not great examination, ſhall be taken in the country before a juſtice of the place where the plea is, accompanied with a ſubſtantial man of the country, knight or other, ſo that a certain day be given in the bench, and a certain day and place in the country, in preſence of the parties, if the demandant requeſt it. And inqueſts and juries in pleas of land, that require great examination, ſhall be taken in the country before two juſtices of the bench.

Recording nonſuits. III. *Eng. Stat.* of York. 12 *Edw.* 2. *cap.* 4. The juſtices of *niſi prius* ſhall have power to record nonſuits and defaults in the country, but this ſtatute extendeth not to great aſſiſes. And one juſtice being aſſociate with a diſcreet man of the country at the requeſt of the plaintiff ſhall take inqueſts, and have power to record nonſuits, and take inqueſts upon defaults.

Quare impedit. (2) And as to inqueſts upon writs of *quare impedit*, *See* Weſtm. 2. 13 *Edw.* 1. *cap.* 30. *Tit.* **Juſtices of aſſiſe**, the juſtices ſhall have power to record nonſuits and defaults, and to give judgment thereupon as in the bench, and there to report what they have done to be inrolled.

Juſtices not coming. (3) And if the juſtices aſſigned to take ſuch inqueſts do not come, the parties and thoſe of the inqueſts ſhall keep their day in the bench.

Inqueſts to be taken. IV. *Eng. Stat.* 2 *Edw.* 3. *cap.* 16. All ſuch inqueſts in plea of land ſhall be taken as well at the requeſt of the tenant as of the demandant.

King's-bench. V. *Eng. Stat.* 14 *Edw.* 3. *cap.* 16. Whoſo demandeth the *niſi prius* in the King's bench, as well at the ſuit of the defendant as the plaintiff, the *niſi prius* ſhall be granted, before any juſtice of the place where the plea dependeth, if any of the ſame place may well go into thoſe parts, and if not, then before any juſtice of the common bench, at a certain day, and the tenor of the record ſhall be ſent to him under the ſeal of the chief juſtice; at which day he ſhall take the inqueſt, and return the verdict under his ſeal with the writ, the tenor, and the panel, which ſhall be received in the King's bench and inrolled, and judgment given.

Common-bench. (2) And in the ſame manner in the common bench, if none of the juſtices of the ſame place go, the *niſi prius* ſhall be granted before any juſtice of the King's bench; and if none of the juſtices of the one bench nor the other may come in the country, the *niſi prius* ſhall be granted before the chief baron of the exchequer, if he be a man of the law.

Juſtices of aſſiſe. (3) And in caſe none of the juſtices nor the chief baron come, the *niſi prius* ſhall be gtanted before the juſtices aſſigned to take aſſiſes in thoſe parts; ſo always that one of the ſaid juſtices aſſigned be juſtice of the one bench or the other, or the King's ſerjeant ſworn.

Tenor of records (4) And if the party demand the tenor of the record to have with him to deliver to the juſtices, another tenor ſhall be delivered to the other party, if he the

ſame

ſame require; and the juſtices of *niſi prius* in pleas of aſſiſes, of *darrein preſentment* and *quare impedit*, ſhall have power to give judgments in the country, according to the ſtatute of *York*, 12 *Edw.* 2. *ſtat.* 1. *cap.* 4.

Suit of jurors.

VI. *Eng. Stat.* 7 *Ric.* 2. *cap.* 7. In all pleas where a *niſi prius* is grantable of office after the great diſtreſs returned and three times ſerved againſt the jurors, and the parties demanded, if none of the parties will purſue, or if the parties refuſe to have a writ of *niſi prius*, then, at the ſuit of any of the jurors preſent, a writ of *niſi prius* ſhall be granted, and that as well in the exchequer as elſewhere.

Judgment in felony, &c.

VII. *Eng. Stat.* 14 *Hen.* 6. *cap.* 1. The juſtices of *niſi prius* ſhall have power in caſes of felony and treaſon to give judgment, as well where a man is acquit as where he is attainted, at the day and place where the inqueſts be taken and to award execution.

Trial of iſſues.

VIII. *Stat.* 17 & 18 *Car.* 2. *cap.* 20. The chief juſtice of the King's bench upon iſſues joined in the King's bench or chancery, the chief juſtice of the common pleas upon iſſues joined in the common pleas, and the chief baron of the exchequer upon iſſues joined in the exchequer, or in the abſence of any of them, one or more of the other judges, or barons of the ſeveral courts, ſhall at their diſcretions, within the place where the ſaid courts ſhall be commonly kept, in the city or county of Dublin, as juſtices of *niſi prius* for the ſaid city and county within the term time, or within four days next after every term, ſeverally try all manner of iſſues joined in any of the ſaid ſeveral courts, which by the ordinary courſe of the laws ought to be tried in any of the ſaid courts by any inqueſt of the ſaid city or county of Dublin, and commiſſions and writs of *niſi prius* ſhall be awarded in ſuch caſes, and in ſuch form as have been uſed in any other ſhire.

Notice of trial.

(2) And it ſhall be lawful for any perſons upon reaſonable warning given to the adverſe party, or their attorney, as hath been uſed in ſuch like caſes, to ſue forth writs and records of *niſi prius* for the trial of the ſaid iſſues in the ſaid city and county of Dublin, as they may do upon any iſſue joined, triable in any other county, and thereupon take jury in ſuch manner and with awarding of *tales de circumſtantibus*, and awarding the non-ſuit as is uſed for the trial of iſſues joined, or non-ſuits, to be awarded in the ſaid courts, or any of them, triable within any other county.

Sheriffs to make returns.

(3) And the ſheriffs of the ſaid city and county of Dublin reſpectively, ſhall make return of all writs of *niſi prius* which ſhall be delivered to them or their deputy, before the ſaid judges or barons, and ſhall give their attendance upon the ſaid juſtices and barons, as well for the returning of ſuch *tales* as ſhall be prayed *de circumſtantibus*, for the trying of the ſaid iſſues, as for the executing of every thing to the office of ſheriff in ſuch caſe belonging, and all perſons to be impanelled in ſuch juries.

Parties and witneſſes.

(4) And the parties to the ſame iſſues and ſuits, and the witneſſes for the ſame, ſhall be charged and bound in ſuch ſort, and upon like penalties, for their not appearance and attendance, or for any miſdemeanors or default, before the ſaid juſtices of *niſi prius* as they ſhould have been if the ſame iſſue had been tried in the court from whence the *niſi prius* was awarded; which ſeveral trials ſo to be had before the ſaid juſtices or barons, ſhall be as good as if the ſame had been tried in the term time at the bar, in the court where ſuch iſſue was joined or triable. *Eng. Stat.* 18 *Eliz. cap* 12.

Commiſſions of *oyer* and *terminer*

IX. *Stat.* 8 *Geo.* 1. *cap.* 6. *ſect.* 1. Writs of aſſiſe and *niſi prius* may be executed before the barons of *the* exchequer, or any of them, or before his Majeſty's

ty's prime ſerjeant at law, attorney-general, ſolicitor-general, or any of them, or any other of his Majeſty's council learned in the law, and they may be commiſſioners of *oyer* and *terminer*, and gaol delivery, and ſhall have the ſame power as the juſtices of the one bench or the other have, in the execution of ſuch writs or commiſſions when ſo appointed.

Nonconformiſts.

Proteſtants diſſenting.

I. *Stat.* 6 *Geo.* 1. *cap.* 5. *ſect.* 1. A clauſe of a ſtatute made in the ſecond year of Queen Elizabeth, cap. 2. ſect. 14. *for the uniformity of common prayer, &c.* (*See Tit.* **Service and Sacraments**) ſhall not extend to any proteſtants diſſenting from the church of Ireland, that ſhall in ſuch manner as is herein after preſcribed take the oaths *mentioned in this act, being the oaths of allegiance and ſupremacy preſcribed by* Eng. Stat. 3 & 4 Will. & Mar. cap. 2. (*which ſee in Tit.* **Oaths**) and ſhall at the ſame time make and ſubſcribe the declaration *which is preſcribed by the ſame ſtatute*; and ſhall alſo at the ſame time take the oath *of abjuration, which is the ſame preſcribed by* Brit. Stat. 1 Geo. 1. cap. 13. (*See Tit.* **Oaths**) which oaths and declaration the juſtices at the quarter ſeſſions of the peace to be held for the county or place where ſuch perſon ſhall live, are required to adminiſter to ſuch perſons as ſhall offer themſelves to take, make, and ſubſcribe the ſame and thereof to keep a regiſter.

Fees for oaths.

(2) And none of the perſons aforeſaid ſhall pay any fee to any officers belonging to the court aforeſaid above ſix pence, and that not more than once, for their entry of his taking the ſaid oaths, and making and ſubſcribing the ſaid declaration, nor above the farther ſum of ſix pence for any certificate of the ſame, which ſuch officers are required to make out and ſign upon requeſt of the perſons ſo taking and ſubſcribing as aforeſaid.

Aſſemblies of diſſenters.

II. *ſect.* 2. If any aſſembly of perſons diſſenting from the church of Ireland, ſhall be had for religious worſhip, with the doors looked, barred, or bolted during any time of ſuch meeting, the preacher or teacher in ſuch aſſembly ſhall for ſuch offence forfeit ten pounds, and every other perſon that ſhall be at ſuch meeting ſhall forfeit ten ſhillings, which penalties ſhall go, the one moiety to the uſe of the poor of the pariſh where ſuch offence ſhall be committed, and the other moiety to ſuch perſons as ſhall ſue for the ſame, ſo as the ſaid penalties be ſued for at the general aſſiſes which ſhall be held next after ſuch offence, for ſuch county or county of a city where ſuch offence ſhall be committed, by civil bill or by action of debt, &c.

Tithes and church-dues.

III. *ſect.* 3. Nothing herein contained ſhall exempt any of the perſons aforeſaid from paying of tithes or any other duties to the church or miniſter, nor from any proſecution in any eccleſiaſtical court or elſewhere for the ſame.

Diſſenters elected to offices.

IV. *ſect.* 4. If any perſon diſſenting from the church of Ireland, ſhall hereafter be appointed to bear the office of high conſtable, or petty-conſtable, churchwarden, overſeer of the poor, or any other parochial or ward office, and ſuch perſon ſhall ſcruple to take upon him any of the ſaid offices in regard of the oaths, or any thing required in reſpect of ſuch office, every ſuch perſon may execute ſuch office by a ſufficient deputy, by him to be provided, that ſhall comply with the laws, provided the ſaid deputy be approved as ſuch officers ſhould by law have been approved; provided that perſons who ſhall execute any of the aforeſaid offices by deputy, ſhall be anſwerable for all money that ſhall come to the ſaid deputy's hands by reaſon of ſuch office, as if he himſelf had executed the office.

V. *ſect.*

V. *ſect.* 5. No biſhop or other ordinary ſhall be obliged to approve the ſame perſon, as deputy churchwarden, for the ſame pariſh, or place, two years ſucceſſively. Approbation of deputies.

VI. *ſect.* 6. No perſon being a proteſtant, diſſenting from the church of Ireland, in holy orders, or pretending to holy orders, or any preacher or teacher of any congregation of diſſenting proteſtants, that ſhall make and ſubſcribe the declaration aforeſaid, and take the ſaid oaths at the quarter-ſeſſions for the county or diviſion where ſuch perſon lives, ſhall be liable to the penalty of one hundred pounds, or any other penalties mentioned in an act made in the ſeventeenth and eighteenth years of Charles the ſecond, *for the uniformity of public prayers*, or for preaching or officiating in any congregation allowed by this act for the exerciſe of religion. Diſſenting teachers.

VII. *ſect.* 7. Provided that the making and ſubſcribing the ſaid declaration, and the taking the oaths by perſons herein before mentioned at ſuch quarter-ſeſſions as aforeſaid, ſhall be entered of record in the ſaid court, for which ſix pence ſhall be paid to the clerk of the peace. Recording qualification.

VIII. *ſect.* 8. Every perſon pretending to holy orders, or preacher or teacher, that ſhall make and ſubſcribe the declaration, and take the oaths in manner aforeſaid, ſhall enjoy all the privileges which any other diſſenting miniſter might have or enjoy by virtue of this act. Teachers qualifying.

IX. *ſect.* 9. Every teacher or preacher in holy orders, or pretended holy orders, that is a miniſter, preacher, or teacher of a congregation, that ſhall take the oaths, and make and ſubſcribe the declaration as aforeſaid, ſhall be exempted from ſerving upon any jury, or from being appointed to bear the office of churchwarden, overſeer of the poor, or any other parochial or ward office, or other office in any barony, county, city, town, or pariſh. Exemption from offices.

X. *ſect.* 10. Provided that all the laws made for the frequenting of divine ſervice on the Lord's day, ſhall be ſtill in force, and executed againſt all perſons that offend againſt the ſaid laws, except ſuch perſons reſort to ſome congregation or aſſembly of religious worſhip allowed by this act. Former laws in force.

XI. *ſect.* 11. Neither this act nor any clauſe therein ſhall extend to give any eaſe or advantage to any perſon profeſſing the popiſh religion; or to any perſon who in preaching or writing ſhall deny the doctrine of the bleſſed Trinity, as it is declared in the *thirty nine articles* refered to in the aforeſaid act, made the ſeventeenth and eighteenth of King Charles the ſecond. Profeſſing popery.

XII. *ſect.* 12. If any perſon ſhall of purpoſe maliciouſly or contemptuouſly come into any cathedral or pariſh church, chapel, or other congregation permitted by this act, and diſquiet or diſturb the ſame, or miſuſe any preacher or teacher, ſuch perſons, upon proof thereof before any juſtice of the peace by two ſufficient witneſſes, ſhall find two ſureties to be bound by recognizance, in the penal ſum of fifty pounds, to appear at the next quarter ſeſſions to be held for the county wherein ſuch offence ſhall be committed, and in default of ſuch ſureties ſhall be committed to priſon till the next quarter-ſeſſions, and upon conviction, ſhall ſuffer the penalty of twenty pounds to the uſe of the King. Diſturbing divine worſhip.

XIII. *ſect.* 13. No congregation or aſſembly for religious worſhip ſhall be allowed by this act, until the place of ſuch meeting ſhall be certified to the biſhop of the dioceſe, or to the archdeacon of that archdeaconry, or to the juſtices at the quarter-ſeſſions of the peace, for the county or place in which ſuch meeting ſhall be held, and regiſtered in the ſaid biſhop's or archdeacon's court reſpectively, or recorded at the general or quarter-ſeſſions, the regiſter or clerk of the peace whereof reſpectively, is required to regiſter the ſame, and to give certificates thereof to ſuch perſons as ſhall demand the ſame, for which there ſhall be no greater fee taken than ſix pence. Places of meeting to be certified.

XIV. *ſect.*

Exemption from penalties.

XIV. *ſect.* 14. All perſons that ſhall take the oaths, and make and ſubſcribe the declaration as aforeſaid, ſhall be exempted from all penalties hitherto incurred by virtue of the ſtatute 2 *Eliz. cap.* 2. or *ſtat.* 17 & 18 *Car.* 2. *cap.* 6: *for the uniformity of public prayers, &c.*

Quakers.

XV. *ſect.* 15. Diſſenters from the church of Ireland, commonly called *quakers*, who ſcruple the taking of any oath, who ſhall make and ſubſcribe the declaration *mentioned in this act, which is preſcribed by Brit. ſtat.* 1 *Geo.* 1. *cap.* 13. (*See Tit.* **Oaths**) if thereunto required, ſhall be exempted from all penalties of the forementioned ſtatutes, and ſhall enjoy all privileges under the like limitations and conditions, which any other proteſtant diſſenters enjoy by virtue of this act.

No proſecution.

XVI. *ſect.* 16. No diſſenters who ſhall take the oaths and ſubſcribe the declaration as aforeſaid, ſhall be proſecuted in any eccleſiaſtical court for their nonconforming to the church of Ireland as by law eſtabliſhed.

Qualifying.

XVII. *ſect.* 17. If any perſon being a proteſtant diſſenting from the church of Ireland, not being in holy orders, or pretending to holy orders, not being any preacher or teacher of any congregation, who would be intitled to the benefit of this act, if ſuch perſon ſhall have duly taken, made, and ſubſcribed, the oaths and declarations, or otherwiſe qualified as required by this act, and ſhall be proſecuted for nonconformity to the church of Ireland as by law eſtabliſhed, or upon any of the penal ſtatutes from which proteſtant diſſenters are exempted by this act, ſhall during ſuch proſecution take, make, and ſubſcribe the ſaid oaths and declaration, or being quakers, ſhall make and ſubſcribe the declaration according to this act, or before any two juſtices of the peace, who are required to take and return the ſame to the next quarter-ſeſſions to be there recorded, ſuch perſon ſhall be intitled to the benefit of this act, as fully as if ſuch perſon, before ſuch proſecution was commenced, had duly qualified himſelf in the manner preſcribed, and ſuch proſecution ſhall thenceforth ceaſe, and every ſuch perſon be exempted from all the penalties incurred by the aforeſaid penal ſtatutes. *Eng. Stat.* 1 *Will. & Mar. ſtat.* 1. *cap.* 18. *& Brit. ſtat.* 10 *Ann. cap.* 2. *ſect.* 8.

Exempt from penalties.

Anſwer of quakers.

XVIII. *Stat.* 6 *Geo.* 1. *cap.* 6. *ſect.* 5. It ſhall be lawful for the lord chancellor, lord keeper, or other the lords commiſſioners of the great ſeal, and for the chancellor, treaſurer, lord chief baron, and other the barons of *the* exchequer, to take the anſwers of quakers to any bills exhibited before them, the ſaid quakers who ſhall be obliged to give in their anſwers with their reſpective names or marks ſubſcribed, making the affirmation before the perſons appointed by commiſſion to take their anſwers in the manner following.

Form of affirmation.

I A. B. *do hereby ſincerely and ſolemnly declare, that I am perſwaded in my conſcience, that the taking of an oath in any caſe whatſoever is contrary to the law of God contained in the New Teſtament; and being thoroughly convinced thereof, I do farther ſincerely and ſolemnly declare, that the anſwer I here give is in all points true according as I give the ſame, and as the ſame is ſet forth in this preſent writing, to which I have ſubſcribed my name or made my mark.*

To be written and ſigned.

(2) Which affirmation ſhall be writ at large at the bottom of the parchment whereon ſuch anſwer ſhall be ingroſſed, and the names ſigned by the perſons who ſhall give in the ſame, and their marks be put thereunto if they cannot write, and witneſſed by the ſix clerk, attorney, or ſolicitor, who ſhall be concerned for them.

Perjury.

(3) And if any ſuch quaker ſhall declare contrary to the truth, and be thereof convict upon indictment or information, they ſhall be liable to, and ſuffer ſuch penalties as perſons convict of wilful and corrupt perjury are liable to.

XIX. *ſect.*

XIX. *ſect.* 6. No perſon ſhall be deemed a quaker, within the intention of this act, unleſs they ſhall produce certificates thereof to the court wherein they are ſued, under the hands of ſix credible perſons of their own congregation, of his or her being of that profeſſion at leaſt three years then laſt paſt. Certificate required.

XX. *Stat.* 11 *Geo.* 2. *cap.* 10. Proteſtant diſſenters who have entered or ſhall enter into matrimonial contracts [*in their own congregation before their miniſters or teachers, and thereupon live together as husband and wife*] ſhall not be proſecuted in any eccleſiaſtic court, *ex officio mero*, or on the preſentment of any miniſter or churchwardens, for their entring into ſuch contracts, or living together as huſband and wife by virtue of ſuch contract, provided ſuch diſſenters and miniſter or teacher have *taken* or ſhall take the oaths, and ſubſcribe the declaration according to 6 *Geo.* 1. *cap.* 5. Marriages of diſſenters.

XXI. *Stat.* 19 *Geo.* 2. *cap.* 18. *ſect.* 1. Every quaker who ſhall be required upon any lawful occaſion to take an oath, ſhall inſtead of an oath in the uſual form, be permitted to make his or her ſolemn declaration or affirmation in theſe words *(to wit.)* Solemn affirmation.

I A. B. *do ſolemnly, ſincerely and truly declare and affirm.*

(2) Which ſolemn affirmation ſhall be adjudged and taken to be of the ſame force and effect, in all places where by law an oath ſhall be required, as if ſuch quaker had taken an oath in the uſual form. Inſtead of an oath.

XXII. *ſect.* 2. Every perſon who ſhall have made ſuch ſolemn affirmation, and ſhall be convicted of wilfully, falſely and corruptly having affirmed any thing, which if the ſame had been ſworn in the uſual form, would have amounted to wilful and corrupt perjury, ſhall incur the ſame penalties as perſons convicted of wilful and corrupt perjury. Falſe affirmation.

XXIII. *ſect.* 3. No quaker or reputed quaker, ſhall by virtue of this act, be admitted to give evidence in any criminal cauſes, or ſerve on any juries, or bear any office of truſt or profit under the government. Criminal cauſes and juries.

XXIV. *ſect.* 4. Provided, that no perſons ſhall be deemed quakers within the intention of this act, unleſs they ſhall affirm in the form aforeſaid, *that they are of the profeſſion of the people called quakers, and have been ſo for one year then laſt paſt.* Evidence of being quakers

XXV. *ſect.* 5. This act ſhall be a public act, and be judicially taken notice of as ſuch. Publick act.

XXVI. *Brit. Stat.* 22 *Geo.* 2. *cap.* 30. Every perſon, being a member of the proteſtant epiſcopal church known by the name of *Unitas Fratrum*, or the United Brethren, who ſhall be required to take an oath upon any lawful occaſion, ſhall, inſtead of the uſual form, be permitted to make a ſolemn affirmation in theſe words following. *Unitas fratrum.*

I A. B. *do declare in the preſence of almighty God, the witneſs of the truth of what I ſay.*

(2) Which affirmation ſhall be taken in all courts of juſtice, and other places where an oath is required within Great Britain and Ireland, &c. as if ſuch perſons had taken an oath in the uſual form. Inſtead of an oath.

XXVII. *ſect.* 2. Any perſon making ſuch ſolemn affirmation, who ſhall be convicted wilfully and corruptly to have affirmed any thing, which if the ſame had been depoſed on oath, would have amounted to wilful and corrupt perjury, ſhall incur the ſame penalties as perſons convicted of wilful and corrupt perjury. Perjury.

XXVIII. *ſect.* 3. No perſon ſhall by virtue of this act be qualified to give evidence in any criminal cauſes, or to ſerve on juries. Evidence in criminal cauſes.

Nonconformists.

Certificate required.

XXIX. *ſect.* 5. All perſons who ſhall as members of ſuch church or congregation, claim the benefit of this act, ſhall at the time when they make ſuch claim, produce a certificate ſigned by ſome biſhop of the ſaid church, or by the paſtor of ſuch church or congregation who ſhall be neareſt to the place where ſuch claim is made, and ſhall be examined concerning the ſaid certificate and the due execution thereof.

Proof to be made.

(2) And ſuch perſon ſo affirming to the beſt of his knowledge and belief in manner before mentioned, or proving by other legal witneſſes, that the ſaid certificate was duly executed by ſuch biſhop or paſtor, and alſo affirming that he is actually a member of the ſaid church, known by the name of *Unitas Fratrum*, or the United Brethren, ſhall be taken to be a member of the ſaid church, and as ſuch ſhall be intitled to the benefit of this act.

Perjury.

XXX. *ſect.* 6. Any perſon who ſhall be convicted of having falſely and corruptly affirmed, that ſuch certificate was duly executed, or that he is a member of ſuch church, when ſuch affirmation is falſe, ſhall incur the ſame penalties as perſons convicted of wilful and corrupt perjury.

Liſts of biſhops, &c.

XXXI. *ſect.* 7. The advocate of the church of the United Brethren ſhall lay before *the commiſſioners for trade* liſts of all the biſhops of the ſaid church, who are appointed to grant certificates, with their hand writing and uſual ſeal, and the names of ſuch paſtors as ſhall be authorized to give certificates, &c.

Publick act

XXXII. *ſect.* 8. This act ſhall be deemed to be a public act, and ſhall be judicially taken notice of as ſuch.

Nonplevin.

Nonplevin taken away.

I. *Eng. Stat.* 9 *Edw.* 3. *ſtat.* 1. *cap.* 2. The King hath put out *nonplevin* of land, and the pain that was wont to enſue, in caſe the land was not replevied in due time; alſo none ſhall loſe his land becauſe of *nonplevin*.

Nonſuit.

Verdict againſt plaintiff.

I. *Eng. Stat.* 2 *Hen.* 4. *cap.* 7. If the verdict paſs againſt the plaintiff, he ſhall not afterwards be nonſuited.

Nuſances.

Nuſances in ſtreets, &c.

I. *Stat.* 5 *Geo.* 3. *cap.* 15. *ſect.* 19. *And for preventing the laying of dung, dirt, or other filth in the publick ſtreets and lanes of cities or county towns, and for the more effectual cleanſing and keeping the ſame clean*, it *is* enacted, that no perſon ſhall lay down, and ſuffer to remain above twenty-four hours, any dung, dirt, or other filth, in any ſtreet or lane in any city or county town, before their dwelling-houſes, ſtables, buildings, or walls, or before the dwelling-houſe, ſtables, buildings, or walls of any other perſon, or before the walls of churches, church-yards, or other publick buildings.

Conviction before a juſtice.

II. *ſect.* 20. And if any perſon ſhall be convicted of any of the ſaid offences before the mayor, or other magiſtrate of ſuch city or county town where ſuch offence is committed, by the oath of one or more credible witneſſes, every ſuch offender

Penalty of five ſhillings.

ſhall for every ſuch offence forfeit five ſhillings, to be levied by diſtreſs and ſale of the offenders goods, by warrant under the hand and ſeal of the mayor or other magiſtrate of ſuch city or county town before whom ſuch offender ſhall be ſo convicted.

Sweeping ſtreets.

III. *ſect.* 21. Every inhabitant in every city or county town, ſhall before nine of the clock in the morning of every day (except Sunday) ſweep and cleanſe, or cauſe to be ſwept and cleanſed, before their reſpective houſes, buildings, and walls, in the ſtreets of the ſaid cities or county towns, and in ſuch lanes as carriages can paſs through,

through, to the end that the dirt may be ready to be carried away by the reſpective ſcavengers, upon pain to forfeit for every ſuch offence one ſhilling; the ſaid offence to be heard and determined, and the ſaid penalty to be levied in the manner herein before mentioned. Forfeit one ſhilling.

IV. *ſect.* 22. And the ſcavengers in the ſaid cities and county towns, ſhall, three days in every week to be appointed by the reſpective mayors in the ſaid cities, and magiſtrates of county towns, carry away all the dirt and filth out of all the ſtreets and lanes through which carriages can paſs in the ſaid cities and county towns, upon pain of forfeiting ten ſhillings for every neglect; the ſaid forfeiture to be heard and determined, and the penalty levied in the manner herein before mentioned. Scavengers three days in the week, Penalty of ten ſhillings.

V. *ſect.* 23. The ſaid ſeveral penalties, after deducting the expences of levying the ſame, ſhall be applied by the reſpective magiſtrates before whom the ſame ſhall be recovered, for the uſe of the priſoners for debt in the reſpective gaols of the ſaid cities and county towns. Priſoners for debt.

VI. *ſect.* 24. And it ſhall be lawful for any perſons to carry away, and to apply to their own uſe, any dung or dirt which ſhall lie in any ſtreet or lane in any city or market-town. Dung in ſtreets.

VII. *ſect.* 25. And in caſe any ſuit or action ſhall be commenced againſt any perſon, for what they ſhall do in purſuance of this act, the defendants in ſuch action, ſhall plead the general iſſue, and give the ſpecial matter in evidence, and if a verdict ſhall be given for the defendants, or if the plaintiff ſhall be nonſuit, the defendants ſhall recover their treble coſts. General iſſue. Treble coſts.

VIII. *ſect.* 26. Provided, that nothing herein contained ſhall extend to the city of Dublin. Dublin.

IX. *ſect.* 27. The ſaid ſeveral proviſions for lighting and cleanſing ſuch cities, ſhall continue in force for the ſpace of ſeven years, from the firſt day of May one thouſand ſeven hundred and ſixty ſix, and from thence to the end of the then next ſeſſion of parliament. Continuance of this act.

Oaths.

I. *Eng. Stat.* 3 & 4 *Will. & Mar. cap.* 2. *ſect.* 2. No perſon reſiding in Ireland, ſhall be obliged to take the oath of ſupremacy, by virtue of the ſtatute made in Ireland, 1 *Eliz. cap.* 1. *reſtoring to the crown ancient juriſdiction*, &c. but that ſtatute, and every other ſtatute, for ſo much only as concerns the ſaid oath, are hereby repealed. Oath of ſupremacy.

II. *ſect.* 3. The oaths appointed to be taken by this act ſhall be taken by the perſons required by the ſaid act, or any other ſtatute made in Ireland, to take the ſaid abrogated oath. New oaths appointed.

III. *ſect.* 4. Every perſon that ſhall become a barriſter at law, attorney, clerk, or officer in chancery, or other courts, and their deputies, or ſhall practiſe as ſuch in Ireland, ſhall take the ſaid oaths, and make and ſubſcribe the ſaid declaration in the King's-bench at Dublin, in open court, between the hours of nine and twelve in the forenoon, to be recorded before he ſhall be admitted to exerciſe any place or office, or to practiſe or plead in any court. Oaths and declaration.

(2) And all perſons that ſhall be admitted into any office or employment eccleſiaſtical or civil, or come into any capacity, in reſpect whereof they ſhould have been obliged to take the ſaid abrogated oath, ſhall take the ſaid oaths, and make and ſubſcribe the declaration, in ſuch manner as they ought to have taken the ſaid former oath. Offices and employments.

IV. *ſect.* 5. No peer of that realm ſhall vote or make his proxy in the houſe of peers, or ſit there during any debate; nor ſhall any member of the houſe of commons Peers voting.

mons be capable to vote or ſit there during any debate after their ſpeaker is choſen, until he take the oaths herein mentioned, and make and ſubſcribe this declaration following.

Declaration againſt tranſubſtantiation.

I. A. B. *do ſolemnly and ſincerely, in the preſence of God, profeſs, teſtify, and declare, that I do believe that in the ſacrament of the Lord's ſupper there is not any tranſubſtantiation of the elements of bread and wine into the body and blood of Chriſt at or after the conſecration thereof by any perſon whatſoever, and that the invocation or adoration of the virgin Mary, or any other ſaint, and the ſacrifice of the maſs, as they are now uſed in the church of Rome, are ſuperſtitious and idolatrous. And I do ſolemnly in the preſence of God, profeſs, teſtify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary ſenſe of the words read unto me, as they are commonly underſtood by Engliſh proteſtants, without any evaſion, equivocation, or mental reſervation whatſoever, and without any diſpenſation already granted me for this purpoſe by the pope, or any other authority or perſon whatſoever, or without any hope of any ſuch diſpenſation from any perſon or authority whatſoever, or without thinking that I am or can be acquitted before God or man, or abſolved of this declaration, or any part thereof, although the pope or any other perſon or perſons or power whatſoever, ſhould diſpenſe with or annul the ſame, or declare that it was null and void from the beginning.*

Hours for taking the oaths, &c.

(2) Which oaths and declaration ſhall be in every parliament in Ireland publickly made and ſubſcribed, betwixt nine in the morning and four in the afternoon, by every peer at the table in the middle of the houſe, before he take his place, and whilſt a full houſe of peers is preſent, and their ſpeaker in his place; and by every member of the houſe of commons, at the table in the middle of the houſe, and whilſt a full houſe of commons is ſitting with their ſpeaker in his chair; and the ſame ſhall all be done in either houſe in ſuch order as each houſe is called over; and during the making and ſubſcribing thereof, and taking the ſaid oaths, all buſineſs and debates ſhall ceaſe; and the clerk of ſuch houſe is to record the ſame in rolls, and every member of either houſe ſhall pay to ſuch clerk 1 *s.*

Diſabilities for offences,

V *ſect.* 6. If any peer of Ireland, or member of the houſe of commons there, or barriſter at law, attorney, clerk, &c. ſhall offend contrary to this act, every ſuch peer and member, and other perſon, ſhall be diſabled to hold any office or place of profit or truſt, eccleſiaſtical civil or military, in any of their Majeſties realms, iſlands, or plantations, and ſhall be diſabled to ſit or vote in either houſe of parliament of Ireland, or make a proxy in the houſe of peers there, or to ſue in courſe of law or equity, or to be guardian of any child, or executor or adminiſtrator of any perſon, or capable of any legacy or deed of gift, and ſhall forfeit for every wilful offence 500*l.* to be recovered by him that will ſue for the ſame by action of debt, &c. in any of their Majeſties courts at Dublin.

Oaths to be taken.

VI. *ſect.* 7. The oaths to be taken are the oaths *of allegiance and ſupremacy* following, *viz.*

Oath of allegiance.

I A. B. *do ſincerely promiſe and ſwear that I will be faithful and bear true allegiance to their Majeſties King* William *and Queen* Mary.

So help me God.

Oath of abhorrence.

I A. B. *do ſwear, that I do from my heart abhor, deteſt, and abjure as impious and heretical, that damnable doctrine and poſition, that Princes excommunicated or deprived by the pope or any authority of the ſee of Rome, may be depoſed or murdered by their ſubjects, or any other perſon whatſoever; and I do declare, that no foreign prince,*

prince, perſon, prelate, ſtate or potentate, hath or ought to have any juriſdiction, power, ſuperiority, pre-eminence, or authority, eccleſiaſtical or ſpiritual, within this realm.

So help me God.

VII. *ſect.* 14. It ſhall be lawful for two juſtices of peace (one of the *quorum)* to direct their warrant to any conſtable or other officer, to ſummon any perſon of the age of eighteen years or upwards, to appear before ſuch juſtices to take the oath to be faithful to their Majeſties. Summoning to take oaths.

(2) And if ſuch perſon ſhall not appear, having no lawful impediment, or ſhall refuſe to take the oath, the juſtices ſhall commit ſuch perſon to the common gaol or houſe of correction for three months, unleſs ſuch offender ſhall pay to the juſtices ſuch ſum, not exceeding 40*s.* as the juſtices ſhall require, which money ſhall be paid to the church-wardens or overſeers of the poor of the pariſh where ſuch offender did laſt inhabit. Penalty of refuſal.

(3) And after the end of three months after ſuch default or refuſal, two ſuch juſtices ſhall have power to direct their warrant to ſummon ſuch offender to appear before them to take the ſaid oath. Warrant of ſummons.

(4) And if ſuch offender make default, not having any lawful impediment, or ſhall refuſe to take the oath, the juſtices ſhall commit ſuch offender to the common gaol or houſe of correction for ſix months, unleſs he ſhall pay to the juſtices ſuch ſum, not exceeding ten pounds, nor under five pounds, as the juſtices ſhall require, which money ſhall be diſpoſed of to the uſe of the poor of ſuch pariſh. Commitment.

(5) And unleſs ſuch offender ſhall become bound with two ſureties, with condition to appeal at the next aſſiſes or gaol-delivery to be holden for ſuch county where the offender ſhall inhabit, and in the mean time to be of the good behaviour. Binding over.

(6) At which aſſiſes or goal-delivery the oath ſhall be tendered, and if he refuſe to take the oath, he ſhall incur the penalty of *premunire* in the ſtatute 16 *Ric.* 2. *cap.* 5. except women covert, who upon refuſal of the oath, ſhall be by the juſtice of aſſiſe or gaol-delivery committed only to the common gaol till they take the oath. Premunire.

VIII. *Eng. Stat.* 1 *Ann. ſtat.* 2. *cap.* 17. *ſect.* 4, 5. Every perſon that ſhall bear any office military or civil, or ſhall receive any pay or wages by reaſon of any grant from her Majeſty, or ſhall have command or place of truſt under her Majeſty, or by authority derived from her in Ireland, and all eccleſiaſttcal perſons, and maſter or fellow of the college of Dublin, and all perſons teaching pupils, and all ſchoolmaſters and uſhers, and all preachers of ſeparate congregations, and every perſon that ſhall act as a ſerjeant at law, counſellor, barriſter, advocate, attorney, ſolicitor, proctor, clerk, or notary, practiſing as ſuch in any court in Ireland, ſhall take the oath of abjuration, at the ſame time that they take the oaths and make the declaration appointed by 3 *Will. & Mar. cap.* 2. and all eccleſiaſtical perſons, every maſter, governor, head or fellow of the college of Dublin, and all perſons teaching pupils, and all ſchoolmaſters or uſhers, and all preachers of ſeparate congregations, and every perſon who ſhall act as ſerjeant at law, counſellor, barriſter, advocate, attorney, ſolicitor, proctor, clerk or notary in any court, who ſhall take and ſubſcribe the ſaid oath in the next term in one of the ſaid courts, or at the next general quarter-ſeſſions for the county, barony, or place where they ſhall reſide. Officers to qualify. Oath of abjuration.

IX. *ſect.* 6. Every perſon that ſhall neglect to take the ſaid oath, ſhall incur the penalties in 13 *Will.* 3. *cap.* 6. *viz. ſhall be* ipſo facto *incapable to enjoy the office*, &c. Penalty of neglect.

X. *ſect.* 7. Nothing in this act ſhall extend to any perſon that ſhall be in England, ſo that he take the oath in England. Perſons in England.

XI. *ſect.*

Courts to adminiſter the oath.

XI. *ſect.* 8. Upon tender of any perſon to take the oath, the courts are required to adminiſter the ſame, of the taking whereof the like regiſter ſhall be kept, as by 25 *Car.* 2. *cap.* 2. *which is to the ſame effect preſcribed by Stat.* 2 *Ann. cap.* 6. *in this kingdom.*

New grant of office.

XII. *ſect.* 9. Any perſon who by any neglect according to this act ſhall loſe any office, may be capable of a new grant of the ſaid office, or of any other, taking the oath, ſo as ſuch office be not granted to ſome other perſon.

Peers and members of parliament.

XIII. *ſect.* 10. No peer of Ireland ſhall vote or make his proxy in the houſe of peers, or ſit there during any debate, nor any perſon who ſhall be elected a member of the houſe of commons in that kingdom, ſhall be capable to vote or ſit there during any debate after their ſpeaker is choſen, until ſuch peer or member ſhall take the ſaid oath at the ſame time, as is directed for their making the declaration in 3 *Will. & Mar. cap.* 2.

Penalties.

XIV. *ſect.* 11. If any peer of Ireland, or member of the houſe of commons there, ſhall preſume to vote or make his proxy, not having taken the ſaid oath, every ſuch peer and member ſhall incur the penalties in 13 *Will.* 3. *cap.* 6. *viz. ſhall be adjudged a popiſh recuſant convict, and ſhall be diſabled to hold any place of profit or truſt civil or military, and to ſit or vote in either houſe of parliament, or make a proxy in the houſe of peers, or to ſue any action in law, or to proſecute any ſuit in equity, or to be guardian of any child, or executor or adminiſtrator of any perſon, or capable of any legacy or deed of gift, and ſhall forfeit* 500*l. to be recovered by him that ſhall ſue for the ſame in any of his Majeſty's courts at Weſtminſter.*

Inferior civil offices.

XV. *ſect.* 12. This act ſhall not extend to the office of high conſtable, petty conſtable, tithingman, headborough, overſeer of the poor, church-wardens, ſurveyors of the highways, or any like inferior civil office, or to any office of foreſter or keeper of any park, chaſe, warren or game, or bailiff of any manor or lands, nor to any like private offices.

Officers civil and military.

XVI. *Stat.* 2 *Ann. cap.* 6. *ſect.* 18. All perſons that ſhall be admitted into any office civil or military, or ſhall receive any pay, ſalary, fee or wages, belonging to any office or place of truſt, by any patent or grant from her Majeſty, or ſhall have command or place of truſt under her Majeſty, or any of her predeceſſors or ſucceſſors, or by their authority, or by authority derived from them within Ireland, ſhall in the court of chancery, Queen's-bench, common-pleas, or court of exchequer, in open court between the hours of nine of the clock and twelve in the forenoon, take the ſeveral oaths, and publickly make and repeat the declaration appointed to be taken, made or ſubſcribed within this kingdom, by an act of parliament made in England in the third year of King William and Queen Mary, *for the abrogating the oath of ſupremacy in Ireland, and appointing other oaths*, and alſo ſhall at the ſame time take the oath of abjuration appointed to be taken by an act of parliament made in England in the firſt year of her preſent Majeſty's reign, *cap.* 17. unto which oaths and declaration, every perſon ſo taking the ſame, ſhall ſubſcribe his name, or make his mark, and during the time of taking thereof, all pleas and proceedings in the ſaid reſpective courts ſhall ceaſe.

Time for taking the oaths.

(2) And every ſuch perſon to be admitted as aforeſaid, not having taken the ſaid oaths in one of the ſaid courts, and ſubſcribed the ſame, and the ſaid declaration as aforeſaid, ſhall in the next term, or at the general quarter-ſeſſions for that county or place where they ſhall reſide, next after their admittance into any of the ſaid offices or employments, after ſuch their admittance, take the ſaid ſeveral oaths, and make and repeat the ſaid declaration, and ſubſcribe his name, or make his mark under the ſaid oaths and declaration in one of the ſaid courts as aforeſaid, between the hours aforeſaid, and no other, during which time all proceedings ſhall ceaſe as aforeſaid.

(3) And

(3) And every ſuch perſon ſo to be admitted, ſhall alſo receive the ſacrament of the Lord's ſupper according to the uſage of the church of Ireland, within three months after their admittance in or receiving their authority and employments, in ſome public church upon the Lord's day immediately after divine ſervice and ſermon. Receiving the ſacrament.

(4) And every of the ſaid reſpective perſons touching whom the ſaid ſeveral proviſions are here before made in the reſpective court where he or ſhe takes the ſaid oaths, ſhall firſt deliver a certificate of ſuch his or her receiving the ſacrament as aforeſaid, under the hands of the reſpective miniſter and church-wardens, and ſhall then make proof of the truth thereof by two credible witneſſes upon oath, all which ſhall be inquired of and put upon record in the reſpective courts. Certificate and proof.

Part of this clauſe being doubtful is explained by Stat. 1 *Geo.* 2. *cap.* 2.

XVII. *ſect.* 19. All perſons aforeſaid who ſhall refuſe or neglect to take the ſaid oaths and ſacrament, and to deliver ſuch a certificate of his receiving the ſacrament, or to ſubſcribe the ſaid declaration in one of the ſaid courts and places, and at the reſpective times aforeſaid, ſhall be *ipſo facto*, adjudged incapable to enjoy the ſaid offices and employments, or any profit or advantage appertaining to them, and every ſuch office and employment ſhall be void. Incapacity for neglect.

(2) And all ſuch perſons that after ſuch neglect or refuſal, ſhall execute any of the ſaid offices or employments, after the ſaid times expired wherein they ought to have taken the ſaid oaths, and made and ſubſcribed the ſaid declaration, and being convicted upon any information, preſentment, or indictment in any of her Majeſty's courts in Dublin, or at the aſſiſes, ſhall be diſabled from thenceforth to ſue any action in law, or to proſecute in any ſuit in equity, or to be guardian of any child, or executor or adminiſtrator of any perſon, or capable of any legacy or deed of gift, or to bear any office within this realm, and ſhall forfeit five hundred pounds, to be recovered by them that ſhall ſue for the ſame, in any of her Majeſty's courts in Dublin, wherein no eſſoign, &c. ſhall lie. Executing office after neglect.

XVIII. *ſect.* 20. The names of all ſuch perſons and officers aforeſaid that ſhall take the oaths, and make and ſubſcribe ſuch declaration as aforeſaid, ſhall be in the reſpective courts of chancery, Queen's bench, common pleas, and exchequer, and the quarter ſeſſions, inrolled with the day and year of their taking the ſaid oaths, and making and ſubſcribing the ſaid declaration, in rolls made and kept only for that purpoſe and for no other, to the inrolment whereof every perſon may reſort and look on without fee. Names to be inrolled.

(2) And none of the perſons aforeſaid ſhall pay any fee to any of the officers belonging to any of the courts aforeſaid, above ſix pence for their entry or their taking the oaths aforeſaid. Fees for entry.

XIX. *ſect.* 21. It ſhall be lawful for the reſpective courts aforeſaid to adminiſter the oaths and tender the declaration aforeſaid to the ſaid perſons, and on due tender of any perſon to take the ſaid oaths, the ſaid courts are injoined to adminiſter the ſame. Courts to adminiſter the oaths.

XX. *ſect.* 22. Provided that any perſon who by any neglect or refuſal ſhall forfeit any office, may be capable of a new grant of the ſaid office, or of any other, and hold the ſame again, ſuch perſon taking the ſaid oaths and ſubſcribing the ſame, and the ſaid declaration in ſuch manner as aforeſaid, and producing ſuch certificate, and proving the ſame at the time of taking the ſaid oaths as aforeſaid, of his having received the ſacrament according to the uſage of the church of Ireland within three months then laſt paſt, ſo as ſuch office be not granted to and actually enjoyed by ſome other perſon, at the time of the regranting thereof. New grant of office.

XXI. *ſect.*

Perſons in England.

XXI. *ſect.* 23. No ſuch neglect to take the ſaid oaths and ſubſcribe the ſame, and the ſaid declaration, and receive the ſacrament, ſhall affect any perſon that ſhall be in England, ſo that he take the ſaid oaths, and make and ſubſcribe the ſaid declaration in one of her Majeſty's courts at Weſtminſter, or at the general quarter-ſeſſions for the county or place where he ſhall reſide, and receive the ſacrament of the Lord's ſupper according to the uſage of the church of England, and produce ſuch certificate thereof at the time of his taking the ſaid oaths, and ſubſcribing the ſaid declaration within the reſpective times hereby appointed for performing the ſame in this kingdom.

Perſons beyond ſeas.

(2) Or any perſon that during the time, or any part thereof appointed for taking the ſaid oaths, and receiving the ſacrament, ſhall be beyond the ſeas out of England and Ireland, or in her Majeſty's ſervice on board the fleet, ſo as ſuch perſon do the next term, or at the next general quarter-ſeſſions for the place where he ſhall reſide after his return into England or Ireland, take the ſaid oaths, and repeat and ſubſcribe the ſaid declaration, and receive the ſacrament within four months after his return, &c.

Under eighteen or *non compos.*

(3) Or any perſons under the age of eighteen, or found by an inquiſition to be *non compos mentis*, ſo as ſuch perſons within four months next after their coming to the ſaid age of eighteen, or becoming of ſound mind, take the ſaid oaths, &c. in like manner as other perſons to be admitted into any office or employment, are herein before appointed to do.

Offices of inheritance.

(4) Nor ſhall be conſtrued to make void the grant of any office of inheritance, or any fee, ſalary, or reward, for executing ſuch offices, ſo as ſuch perſons having any ſuch offices of inheritance ſhall ſubſtitute proteſtants being duly qualified to execute the ſaid offices to be their deputies, which ſuch officers are hereby impowered to make or change, to exerciſe the ſaid offices until ſuch time as the perſons having ſuch offices ſhall voluntarily in one of the courts aforeſaid take the ſaid oaths, and ſo as all ſuch deputies take the ſaid oaths in ſuch manner as ſuch officers whoſe deputies they are, are hereby appointed to do, ſo as ſuch deputies be approved by the Queen, or the chief governors of this realm.

Inferior civil offices.

(5) Or to extend to the office of any high conſtable, petty conſtable, tithingman, headborough, overſeer of the poor, churchwardens, ſurveyors of the high-ways, or any like inferior civil office, or any office of foreſter or keeper of any park or game, or bailiff of any manor, or any like private offices.

Oaths appointed to be taken.

XXII. *Brit. Stat.* 1 *Geo.* 1. *cap.* 13. *ſect.* 1. All perſons that ſhall bear any office civil or military, or receive any ſalary, &c. by reaſon of any patent, &c. from his Majeſty, or who ſhall have any command or place of truſt under his Majeſty, or by his authority in Great-Britain, or in the navy, or in Jerſey or Guernſey, or ſhall be of the houſhold or ſervice of his Majeſty, and all eccleſiaſtical perſons, heads, and other members of colleges and halls in any univerſity that are of the foundation or enjoy any exhibition, being eighteen years old, and all perſons teaching or reading to pupils, and all ſchoolmaſters and uſhers, and all preachers of ſeparate congregations, all conſtables, and every ſerjeant and councellor at law, barriſter, advocate, attorney, ſolicitor, writer in Scotland, proctor, clerk, or notary practiſing in any court, ſhall take the following oaths, *viz.*

Oath of fidelity and abjuration

I A. B. *do truly and ſincerely acknowledge, profeſs, teſtify, and declare, in my conſcience, before God and the world, that our ſovereign lord king George is lawful and rightful King of this realm, and all other his Majeſty's dominions and countries thereunto belonging. And I do ſolemnly and ſincerely declare, that I do believe in my conſcience, that the perſon pretended to be prince of Wales, during the life of the late king James,*

James, and ſince his deceaſe pretending to be and taking upon himſelf the ſtyle and title of King of England, by the name of James the third, or of Scotland by the name of James the eighth, or the ſtyle and title of King of Great-Britain, hath not any right or title whatſoever to the crown of this realm, or any other the dominions thereto belonging: and I do renounce, refuſe, and abjure any allegiance or obedience to him. And I do ſwear that I will bear faith and true allegiance to his Majeſty King George, and him will defend to the utmoſt of my power againſt all traiterous conſpiracies, and attempts whatſoever, which ſhall be made againſt his perſon, crown, or dignity. And I will do my utmoſt endeavour to diſcloſe and make known to his Majeſty and his ſucceſſors, all treaſons and traiterous conſpiracies which I ſhall know to be againſt him or any of them. And I do faithfully promiſe to the utmoſt of my power, to ſupport, maintain, and defend the ſucceſſion of the crown againſt him the ſaid James, and all other perſons whatſoever, which ſucceſſion by an act intitled, an act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject, *is and ſtands limited to the princeſs Sophia, electreſs and dutcheſs dowager of Hanover, and the heirs of her body being proteſtants. And all theſe things I do plainly and ſincerely acknowledge and ſwear according to theſe expreſs words by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, mental evaſion, or ſecret reſervation whatſoever. And I do make this recognition, acknowledgment, abjuration, renunciation, and promiſe, heartly, willingly, and truly, upon the true faith of a chriſtian.*

So help me God.

Unto which oaths every perſon taking the ſame ſhall ſubſcribe his name, and if he cannot write, make his mark; and while the oaths are taking all pleas ſhall ceaſe. Subſcription to oaths.

XXIII. *ſect.* 14. Any perſon who by any neglect ſhall forfeit his office, may be capable of a new grant of the ſame, or any other office on taking the oaths, ſo as ſuch office be not granted to another. Capacity to take a new grant.

XXIV. *ſect.* 18. Nothing in this act ſhall take away any office of inheritance, ſo as the perſon having ſuch office ſubſtitute a deputy, and ſuch deputy qualify himſelf according to 25 *Car.* 2. *cap.* 2. and take the oaths and be approved of by the King under his privy ſignet. Offices of inheritance.

XXV. *ſect.* 20. This act ſhall not extend to the office of tithingman, headborough, overſeers of the poor, church-wardens, ſurveyors of the high-ways, or any like inferior civil office, or to any foreſter or keeper of any park, &c. or bailiff of any manor, &c. nor to any like private offices. Inferior civil offices.

XXVI. *ſect.* 22. All perſons who by law are obliged to receive the ſacrament and ſubſcribe the declaration againſt tranſubſtantiation, ſhall continue obliged to receive, &c. together with the oaths appointed by this act, in ſuch manner and under ſuch penalties in caſe of neglect as is required by any former law. Receiving the ſacrament, &c.

XXVII. *ſect.* 26. Provided that any perſons who by this act ſhall become popiſh recuſants convict, and ſhall thereafter take the oaths, &c. ſhall be diſcharged from ſuch conviction. Recuſants convict.

XXVIII. *ſect.* 27. The oath of abjuration and the aſſurance in this act ſhall in all caſes be taken in lieu of the abjuration and aſſurance formerly appointed. New oaths inſtead of the former.

XXIX. *ſect.* 33. The oath of abjuration by this act appointed, ſhall be the oath to be taken in Ireland, and the indemnities above mentioned are extended to the ſaid kingdom of Ireland. Extended to Ireland.

XXX. *Stat.* 6 *Geo.* 1. *cap.* 9. *ſect.* 2. No perſons who ſhall be admitted into any ſuch offices or employments as *are mentioned in Stat.* 2 *Ann. cap.* 6. ſhall be proſecuted Limitation of proſecutions.

ſecuted upon the ſaid act, or any diſability or penalty be incurred by reaſon of the ſame, unleſs ſuch proſecution be commenced within two years after ſuch perſons ſhall be admitted into ſuch offices or places, and that in caſe of a proſecution the ſame be carried on without wilful delay.

Certificates to be given by officers.

XXXI. *ſect.* 3. The officer of every court where ſuch oaths ſhall be taken, ſhall give to perſons ſo taking the ſaid oaths and ſubſcribing the declaration in purſuance of the ſaid recited act, if thereunto required, a certificate of ſuch perſons having taken the ſaid oaths and ſubſcribed the ſaid declaration, and alſo of their having lodged a certificate of their having received the ſacrament according to the uſage of the church of Ireland, which certificate upon proof being made by one witneſs that the ſaid certificate was ſigned by ſuch officer, and was compared with the roll and agreed with the ſame, ſhall be of the ſame force as if the original rolls were produced, for which certificate the clerk or officer ſigning the ſame ſhall receive the fee of ſix pence and no more.

Swearing perſons nominated to employments.

XXXII. *Stat.* 8 *Geo.* 1. *cap.* 6. *ſect.* 3. When the lord chief baron of this kingdom ſhall be abſent from Dublin, every perſon nominated to any office or employment, and who are directed to be ſworn before the lord chief baron, and take the oaths of office before him, ſhall be ſworn into their reſpective offices in the abſence of the lord chief baron before the chancellor of *the* exchequer, or before any one of the barons thereof, who are hereby required to adminiſter the ſaid oaths, and ſuch perſons who ſhall be ſo ſworn, ſhall take upon them the execution thereof in the ſame manner as if they had been ſworn before the lord chief baron.

Qualification in the ſame term.

XXXIII. *Stat.* 1 *Geo.* 2. *cap.* 2. *ſect.* 3. All perſons who ſhall take and ſubſcribe the oaths, and make, repeat, and ſubſcribe the declaration, in ſuch manner and in ſuch places as by the act 2 *Ann. cap.* 6. *to prevent the further growth of popery* are directed, in the ſame term, or at the ſame quarter-ſeſſions during which they ſhall be admitted to ſuch office or employment, ſhall be adjudged to have taken and ſubſcribed the ſaid oaths, and made, repeated, and ſubſcribed the ſaid declaration as effectually as if they had taken and ſubſcribed the ſaid oaths, and made, repeated, and ſubſcribed the ſaid declaration in the term, or at the quarter-ſeſſions next after ſuch their admittance into ſuch office or employment.

Diſcharge from penalties for omiſſion to qualify.

XXXIV. *Stat.* 5 *Geo.* 3. *cap.* 2. *ſect.* 1. All perſons who have incurred any penalties and incapacities in the act, 2 *Ann. cap.* 6. *to prevent the further growth of popery* mentioned, by neglect to qualify themſelves, are hereby indemnified and diſcharged from all diſabilities, forfeitures, and penalties incurred by reaſon of ſuch omiſſion or neglect; and no acts done by them, or by authority derived from them, and not yet avoided, ſhall be queſtioned by reaſon of ſuch neglect or omiſſion, but all ſuch acts ſhall be as good and effectual as if ſuch perſons had taken and ſubſcribed the oaths, and received the ſacrament, and made and ſubſcribed the declaration, &c.

Further time to qualify.

XXXV. *ſect.* 2. Provided ſuch perſons ſhall take and ſubſcribe the oaths, and receive the ſacrament, and make, repeat, and ſubſcribe the declaration in ſuch manner, and in ſuch places, as are appointed by the ſaid act *to prevent the further growth of popery*, on or before the firſt day of Auguſt, 1764.

Officers in the army, qualifying in Great-Britain.

XXXVI. *ſect.* 3. *And whereas ſeveral of his Majeſty's ſubjects are often preferred in the army reſiding in Great-Britain, by which they are, by the laws in force in that kingdom, obliged to qualify themſelves in ſome part of Great-Britain, by receiving the ſacrament, taking the oaths, and ſubſcribing the declaration within the time mentioned in ſuch laws: and the regiments in which ſuch officers have commiſſions ſo granted to them,*

them, are often ordered into this kingdom, and put upon this eſtabliſhment, by which a doubt has ariſen, whether ſuch officers, notwithſtanding they have qualified themſelves in Great-Britain for ſuch commiſſions according to the ſaid laws, are not by the laws in force in this kingdom obliged to qualify themſelves after their arrival here for ſuch commiſſions, no officer ſo preferred in Great-Britain, who ſhall have qualified themſelves for ſuch commiſſions, according to and within the time limited by the laws made in Great-Britain, ſhall be obliged to qualify themſelves in this kingdom, for ſuch commiſſion after their arrival in this kingdom, and being put upon this eſtabliſhment.

Put upon the Iriſh eſtabliſhment.

Not obliged to qualify in Ireland.

XXXVII. *ſect.* 4. Provided that this act ſhall not extend to reſtore or intitle any perſon to any office or employment, already actually avoided by judgment of any of his Majeſty's courts of record, or already filled up by any other perſon, but that ſuch office or employment ſhall remain in the perſons who are now intitled by law to the ſame.

Not to reſtore to offices filled up, &c.

XXXVIII. *Brit. Stat.* 6 *Geo.* 3. *cap.* 53. *ſect.* 1. From the 24th day of June, 1766, the oath of abjuration in the act, 1 *Geo.* 1. *cap.* 13. ſhall be adminiſtered in ſuch manner and form as is herein after ſet down and preſcribed (that is to ſay)

Oath altered.

I A. B. *do ſolemnly and ſincerely declare, that I do believe in my conſcience, that not any of the deſcendants of the perſon pretended to be prince of Wales, during the life of the late King James the ſecond, and who ſince his deceaſe pretended to be, and took upon himſelf the ſtile and title of King of England, by the name of James the third, or of Scotland, by the name of James the eighth, or the ſtile and title of King of Great-Britain, hath any right or title whatſoever to the crown of this realm, or any other the dominions thereunto belonging; and I do renounce, refuſe, and abjure any allegiance or obedience to any of them.*

The new oath.

And I do ſwear that I will bear faith and true allegiance to his Majeſty King George, and him will defend to the utmoſt of my power, againſt all traiterous conſpiracies and attempts whatſoever, which ſhall be made againſt his perſon, crown, or dignity. And I will do my utmoſt endeavour to diſcloſe and make known to his Majeſty, and his ſucceſſors, all treaſons and traiterous conſpiracies which I ſhall know to be againſt him, or any of them.

And I do faithfully promiſe, to the utmoſt of my power, to ſupport, maintain, and defend the ſucceſſion of the crown againſt the deſcendants of the ſaid James, and againſt all other perſons whatſoever; which ſucceſſion, by an act, intitled, An act for the further limitation of the crown, and better ſecuring the rights and liberties of the ſubject, *is and ſtands limited to the princes Sophia, electreſs and dutcheſs dowager of Hanover, and the heirs of her body being proteſtants.*

And all theſe things I do plainly and ſincerely acknowledge and ſwear, according to theſe expreſs words by me ſpoken, and according to the plain and common ſenſe and underſtanding of the ſame words, without any equivocation, mental evaſion, or ſecret reſervation whatſoever. And I do make this recognition, acknowledgement, abjuration, renunciation, and promiſe, heartily, willingly, and truly, upon the true faith of a chriſtian.

XXXIX. *ſect.* 3. And all perſons, who are enjoined and required to adminiſter, take or ſubſcribe the oath of abjuration, according to the form herein ſet down and perſcribed, in ſuch courts, within ſuch time limited, and with the benefit of the ſame ſavings, proviſoes, and indemnities, as by the ſaid act abovementioned, or any other act now ſubſiſting are directed and enacted; and in caſe of neglect or refuſal, they ſhall be ſubject and liable to the ſame penalties and diſabilities as by the laws aforeſaid are enacted.

Perſons taking the new oath.

Oaths.

Ireland included. XL. *ſect.* 4. And after the firſt day of Auguſt, 1766, the ſame oath of abjuration, by this act appointed to be taken in Great-Britain, ſhall be the oath of abjuration to be taken in Ireland, and no other; and the benefit of the indemnities given by the ſaid act, 1 *Geo.* 1. *ſeſſ.* 2. *cap.* 13. ſhall continue and be in force as to the ſaid kingdom of Ireland, in like manner as if this act had never been made.

Officers.

Oath to name the beſt men to offices. I. *Eng. Stat.* 1 *Rich.* 2. *cap.* 2. The chancellor, treaſurer, keeper of the privy ſeal, ſteward of the King's houſe, the King's chamberlain, clerk of the rolls, the juſtices of the one bench and of the other, barons of the exchequer, and all other that ſhall be called to name juſtices of peace, ſheriffs, eſcheators, cuſtomers, controllers, or any other officer of the King, ſhall be ſworn, that they ſhall not name juſtices of peace, &c. nor other officer, for gift nor brocage, favour nor affection, nor that any which purſueth to be in any office, ſhall be put in the ſame or any other, but that they make all ſuch officers of the beſt and lawfulleſt men to their knowledge.

To be anſwerable for clerks, &c. II. *Eng. Stat.* 2 *Hen.* 6. *cap.* 10. Officers made by the King's letters patent within the courts, which have power by their offices to make clerks and miniſters within the courts, ſhall be ſworn to make ſuch clerks and miniſters for whom they will anſwer.

Accomptants to be during pleaſure. III. *Stat.* 10 *Hen.* 7. *cap.* 2. No perſon that ſhall have miniſtration of juſtice, that is for to ſay, the chancellor, the treaſurer, judges of the King's bench and common place, the chief and ſecondary baron of the exchequer, the clerk or maſter of the rolls, and all officers accomptants have any authority by patent in their ſuch offices, but only at the King's pleaſure; and if any grant be made of any of the ſaid offices, unto any perſons there, contrary to the premiſſes, they to be deemed void, and all acts before made to the contrary hereof to be revoked and void.

Ordinary.

Anſwerable for goods. I. *Eng. Stat.* Weſtm 2. 13 *Edw.* 1. *cap.* 19. Where after the death of a perſon dying inteſtate, the goods come to the hands of the ordinary to be diſpoſed, the ordinary ſhall be bound to anſwer as far as the goods of the dead will extend, in ſuch ſort as the executors ſhould have been bounden if the party had made his teſtament.

Indictments to be certain. II. *Eng. Stat.* 25 *Edw.* 3. *ſtat.* 3. *cap.* 9. The juſtices ſhall not impeach the ordinaries nor their miniſters, becauſe of indictments of general extortions or oppreſſions, unleſs they put in certain, in what thing, and of what, and in what manner the ſaid ordinaries or their miniſters have done extortion and oppreſſion. *See Tit.* **Eccleſiaſtical perſons.**

Ouſter le main.

Iſſues to be reſtored. I. *Eng. Stat.* Artic. ſuper chart. 28 *Edw.* 1. *cap.* 19. Where the eſcheator or ſheriff ſhall ſeize lands into the King's hands, and afterwards it be removed out of his hands by reaſon that he hath no cauſe to ſeize, the iſſues ſhall be reſtored to him to whom the land ought to remain, and which hath ſuſtained the damage.

Outlawry.

I. *Eng. Stat.* 5 *Edw.* 3. *cap.* 12. Where he againſt whom damages be recovered ſhall be outlawed at the King's ſuit, no charter of pardon ſhall be granted of this outlawry, except the chancellor be certified, that the plaintiff is ſatisfied of his damages. Charter of pardon.

(2) And in caſe a man be outlawed before appearance, no ſuch charter ſhall be granted, except the chancellor be certified, that ſuch perſon hath yielded himſelf to priſon before the juſtices. Before appearance.

(3) And if the writ of exigent iſſued from juſtices of *oyer* and *terminer*, and they be riſen, he ſhall yield him in the King's bench; and the ſaid juſtices before whom they ſhall yield them, ſhall cauſe the plaintiff to be warned at a certain day, at which day if the warning be duly witneſſed, and the plaintiff appear, they ſhall plead upon the firſt original as though no outlawry had been. Warning to the plaintiff.

(4) And if the plaintiff come not, he that is outlawed ſhall be delivered by his charter. And all ſuch charters ſhall be of the grace of the King as before. Defendant delivered.

II. *Eng. Stat.* 5 *Edw.* 3. *cap.* 13. If any will defeat any outlawry pronounced upon him by witneſſing impriſonment, he ſhall yield himſelf to priſon, and the juſtices of the King's bench ſhall cauſe the party at whoſe ſuit the outlawry was pronounced, to be warned to be before them at a certain day, at which day if the party will verify, that the witneſſing is untrue, his averment ſhall be received. And in like manner the King's ſerjeant, or his attorney, or other that will ſue for the King's ſerjeant or his attorney, or other that will ſue for the King ſhall be received to the ſame averment, where ſuch outlawry is pronounced at the King's ſuit. Defeating outlawry.

III. *Eng. Stat.* 18 *Edw.* 3. *Stat.* 1. Of receivers of the King's money, which the ſame detain; of lay miniſters which receive the King's money and the ſame retain; alſo of conſpirators, confederators, and maintainers of falſe quarrels; alſo of them that bring routs into the preſence of juſtices, or other the King's miniſters, or elſewhere in counties, in affray of the people; and of them which bring in falſe money in deceit of the people; againſt all theſe, in caſe they may not be found, nor brought in to anſwer by attachment or diſtreſs, the *exigent* ſhall be given. *Exigent* to be awarded.

IV. *Eng. Stat.* 18 *Edw.* 3. *Stat.* 2. *cap.* 5. No *exigent* ſhall go where a man is indicted of treſpaſs, if it be not againſt the peace, or of things contained in the laſt parliament. *See Par.* III. Indicted of treſpaſs.

V. *Eng. Stat.* 25 *Edw.* 3. *ſtat.* 5. *cap.* 17. Like proceſs ſhall be made in writ of debt, detinue of chattles, and taking of cattle, by writ of *capias* and proceſs of *exigent*, as is uſed in writ of account. Proceſs on writs.

VI. *Stat.* II. *Jac.* 1. *cap.* 8. *ſect.* 1. In every action perſonal, wherein any writ of *exigent* ſhall be awarded, one writ of proclamation ſhall be made out, having day of *teſte* and return as the writ of *exigent* ſhall have, directed and delivered of record unto the ſheriff of the county where the defendant at the time of the *exigent* ſo awarded ſhall be dwelling, which writ of proclamation ſhall contain the effect of the action, and the ſheriff ſhall make three proclamations, that is to ſay, one in the open court, and another at the general quarter-ſeſſions, and one other one month at the leaſt before the *quintus exactus*, at or near to the moſt uſual door of the church or chapel, or in caſe there be no church or chapel, in the church yard of that town, or pariſh where the defendant ſhall be dwelling at the time of the *exigent* ſo awarded. Proclamations to be made.

(2) And

Adjoining parish. (2) And if the defendant ſhall be dwelling out of any pariſh, then in ſuch place as aforeſaid of the pariſh in the ſaid county, and next adjoining to the place of the defendants dwelling, and upon a Sunday; and all outlawries had, and no writ of proclamations awarded and returned according to this ſtatute, ſhall be void.

Fees to officers. (3) And the officer in whoſe office the ſaid writs of *exigent* and proclamations ſhall be made, ſhall take no more for the making of any ſuch writs or proclamations, or the entering the ſame of record, but ſix pence, and the ſheriff for making the ſaid proclamation at or near to the church or chapel door as aforeſaid, ſhall have twelve pence and no more.

Reverſal for want of proclamations. VII. *ſect.* 2. Before the allowance of any writ of error or reverſing of any outlawry be had for want of any proclamation according to this ſtatute, the defendants in the original actions ſhall put in ſufficient bail, not only to appear and anſwer to the playntants in the former ſuits, in a new action in the cauſe mentioned in the firſt action, but alſo to ſatisfy the condemnation, if the plaintiff ſhall begin his ſuit within two terms next after the allowing of the writ of error, or avoiding of the ſaid outlawries. *Eng. Stat.* 31 *Eliz. cap.* 3.

Penalty on attornies. VIII. *ſect.* 3. If any attorney ſhall iſſue any writ of *exigent*, without iſſuing one writ of proclamation in manner aforeſaid, together with the ſaid writ of *exigent*, he ſhall forfeit forty ſhillings for every ſuch writ of *exigent* ſo iſſued without one ſuch other writ of proclamation, the one moiety of the ſaid forfeiture to be to the party grieved that will ſue for the ſame, in the ſame court out of which ſuch writ of *exigent* ſhall iſſue, and the other moiety to the poor to be diſtributed by the diſcretion of the judges.

Coroners return. IX. *Stat.* 6 *Ann. cap.* 15. *ſect.* 1. No *quinto exactus* ſhall be returned by any coroner upon the *exigent* in any perſonal action, until *by* affidavit to be made by two credible witneſſes, it ſhall appear to ſuch coroner, that ſuch proclamations as by the act 11 *Jac.* 1. *cap.* 8. are required, have been made.

Affidavit. X. *ſect.* 2. Such affidavit ſhall with the *exigent* be returned by the coroner to the clerk of the outlawries, there to be filed and remain in his cuſtody.

Iſſuing *capias*. (2) And no clerk of the outlawries ſhall iſſue any *capias utlagatum* upon any *exigent* ſo returned, till ſuch affidavit be firſt filed with him, upon pain of forfeiting to the party grieved for every *capias utlagatum* iſſued contrary to this act forty pounds, to be recovered by action of debt in any court of record in Dublin, in which no eſſoign, &c. ſhall be allowed.

Execution of writs. XI. *ſect.* 3. Every ſheriff to whom any ſuch writs of proclamations be directed and delivered, ſhall duly execute the ſame, and thereof make true return at the day appointed, together with ſuch affidavit as aforeſaid, upon pain to forfeit ſuch fine unto the Queen, as the judges before whom ſuch *exigent* ſhall be returned, ſhall ſet.

Declaration of plaintiff. XII. *ſect.* 4. Every declaration to be filed by any plaintiff in ſuch outlawry againſt the defendants therein, after reverſal thereof, and entering bail as by the ſaid act 11 *Jac.* 1. *cap.* 8. is perſcribed, ſhall be for the ſame cauſe contained in ſuch writs of proclamations, and for no other cauſe.

Plea in bar. XIII. *ſect.* 5. If any plaintiffs in ſuch perſonal action or their attornies, ſhall after ſuch reverſal as aforeſaid, file declarations againſt ſuch defendants, for any cauſe other than what is contained in ſuch writ of proclamation, ſuch defendants may plead this law in bar to every ſuch other cauſe contained in ſuch declaration.

Avoidence by plea. XIV. *ſect.* 7. If any outlawry be had again any perſons in any action perſonal, and no writ of proclamation is awarded and returned as is aforeſaid; every ſuch outlawry

ſhall

ſhall be void, and all outlawries had contrary to this act *ſhall* be avoided by plea, without ſuing any writ of error.

Oyer and terminer.

I. *Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 29. The writ of treſpaſs to hear and determine, ſhall not be granted before any juſtices except the juſtices of either bench, and juſtices in eyre, and only for a great treſpaſs where haſty remedy is required; neither ſhall be granted a writ to hear and determine appeals before juſtices aſſigned, but in ſpecial caſe, and when the King ſhall command; but ſuch appealees, and indictees may have a writ of *odio et atia*, as in *magna charta*. *Confirmed* 2 Edw. 3. cap. 2. Juſtices to hear and determine.

II. *Stat.* 3 *Geo.* 2. *cap.* 15. *ſect.* 1. That part of the King's courts in Dublin, where his Majeſty's court of King's bench ſits during the terms, and the chambers and *area* belonging to it, are hereby declared to be both in the county of the city of Dublin, and county of Dublin for the purpoſes following, that is to ſay. Court of king's bench.

(2) That the commiſſioners appointed by virtue of any commiſſion of *oyer* and *terminer*, or of gaol delivery for the county of the city of Dublin, or for the county of Dublin, are impowered to ſit during the vacations after the terms, in that part of the King's courts where the King's bench ſits, and there to deliver the gaols of the ſaid reſpective counties. Delivery of the gaols.

(3) And alſo that the commiſſioners and grand juries of the ſaid reſpective counties may at the ſaid place reſpectively inquire of, preſent, hear, and determine all crimes and offences committed by principals or acceſſories in the county of the city of Dublin, or county of Dublin reſpectively; which ſuch reſpective commiſſioners are impowered to hear and determine by virtue of ſuch commiſſions, in like manner as if ſuch commiſſions had been actually executed in ſome place within the ſaid county of the city of Dublin, or county of Dublin reſpectively. Commiſſioners and grand juries.

(4) And all proceedings by and before ſuch reſpective commiſſioners during the vacations, ſhall be as valid, as if the ſame were reſpectively made, &c. and the ſaid commiſſions reſpectively executed, at ſome place within the ſaid county of the city of Dublin or county of Dublin, for which ſuch commiſſions had reſpectively iſſued. Proceedings valid.

III. *ſect.* 2. The reſpective ſheriffs, ſub-ſheriffs, juſtices of the peace, coroners, gaolers, bailiffs, and all officers of juſtice of the ſaid county of the city of Dublin and county of Dublin, and all perſons of the ſaid reſpective counties impanelled and returned to be upon any grand inqueſt or petty jury by virtue of ſuch commiſſions, and all other perſons reſiding in the ſaid county of the city of Dublin, or county of Dublin, if thereunto duly ſummoned, are required to attend the execution of ſuch commiſſions reſpectively at the place aforeſaid, under the like penalties, fines, and amerciaments, as if ſuch commiſſions were reſpectively executed at ſome place within the county of the city of Dublin, or county of Dublin reſpectively. Officers, &c. to attend.

IV. *ſect.* 3. The gaol of Newgate in the county of the city of Dublin, ſhall be deemed to be a gaol for the county of Dublin as well as for the county of the city of Dublin, to anſwer the purpoſes aforeſaid, in ſuch manner as is now practiſed by his Majeſty's court of King's-bench. Gaol of Newgate.

(2) And upon all orders or warrants of execution of any of the criminals convicted and condemned to die for any crime committed in the county of Dublin before ſuch Sheriffs of the city of Dublin.

ſuch commiſſioners, the ſaid commiſſioners are authorized to direct the ſheriffs of the county of the city of Dublin, to be aiding and aſſiſting to the ſheriff of the county of Dublin, in the execution of ſuch criminals at the common place of execution lying in the liberties of the city of Dublin, in like manner as is now practiſed by the court of King's-bench.

Proceedings of the commiſſioners valid.

V. *ſect.* 4. The ſaid commiſſioners for the ſaid counties reſpectively, may execute all the powers and juriſdictions, as commiſſioners of *oyer* and *terminer* or gaol delivery might execute within the reſpective counties before the making of this act; and all proceedings before them ſhall be as valid as if ſuch commiſſions were executed in the county of the city of Dublin, or county of Dublin reſpectively.

Packet-boats.

Carrying goods.

I. *Stat.* 33 *Geo.* 2. *cap.* 10. *ſect.* 16. No ſhip, veſſel or boat, appointed or employed ordinarily for the carriage of letters and packets ſhall, unleſs it be in ſuch caſes as ſhall be allowed by the commiſſioners of his Majeſty's revenue of exciſe in this kingdom, knowingly import or export any goods deſigned for ſale, into or out of this kingdom, under the penalty of the forfeiture of one hundred pounds, to be paid by the maſter of the ſaid veſſel or boat, with the loſs of his place, and alſo of the goods ſo imported for ſale.

This act is continued for two years, from the 24th day of June 1766, *and to the end of the then next ſeſſion of parliament, by Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 36.

Papiſts.

Sending children beyond the ſeas.

I. *Stat.* 7 *Will.* 3. *cap.* 4. *ſect.* 1. In caſe any of his Majeſty's ſubjects of Ireland, ſhall go or ſhall ſend any child or other perſon beyond the ſeas out of his Majeſty's obedience, to the intent to be reſident or trained up, in any priory, abby, nunnery, popiſh univerſity, college or ſchool, or houſe of jeſuits or prieſts, or in caſe any of his Majeſty's ſubjects of this kingdom, ſhall go or be ſent into any parts beyond the ſeas out of the King's obedience, to the intent to be reſident or trained up in any private popiſh family, and ſhall be beyond the ſeas inſtructed in the popiſh religion, in any ſort to profeſs the ſame, or ſhall convey or ſend any money or other thing, towards the ſupport of any perſon that ſhall go or be ſent, and be inſtructed as aforeſaid, or under the colour of any charity or alms towards the relief of any college, ſchool, or any religious houſe; every perſon ſo going, ſending, conveying, &c. as well any ſuch child or other perſon, as any money or other thing, and every perſon paſſing, or being ſent beyond the ſeas contrary to this act, and being thereof convicted in manner hereafter mentioned, or upon any information, preſentment or indictment for any the offences as aforeſaid, to be found by any jury of twelve men, where ſuch perſons ſhall have any eſtate of inheritance when they did ſo ſend or go, ſuch perſons ſhall be diſabled to proſecute any action, &c. in courſe of law, or any ſuit in equity, or to be guardian, or executor, or adminiſtrator, or capable of any legacy or deed of gift, or to bear any office within the realm, and ſhall forfeit all their goods and chattels which they or any other perſons have in truſt for them, and ſhall forfeit all their lands and hereditaments, offices and eſtate of freehold, and all truſts, powers and intereſts therein, during their lives.

Sending money, &c.

Diſabilities.

Examination by a juſtice.

II. *ſect.* 2. If any information be given to any juſtice of the peace, that any ſuch child or other perſon, money or other thing, are gone or ſent away contrary to this act, ſuch juſtice is required to cauſe to be brought before him, all ſuch perſons

perſons ſuſpected or charged to have offended therein, and ſhall examine the perſons ſo ſuſpected or accuſed without oath, and ſhall examine any other witneſſes upon their oaths, concerning the ſame.

(2) And if upon ſuch examination it ſhall appear probable that ſuch perſon, money or other thing, are gone or ſent away contrary to this act, the ſaid juſtices ſhall bind the ſaid ſuſpected perſons with ſufficient ſureties, and ſuch other perſons as he ſhall judge fit to give evidence, and the ſaid informers in recognizances of two hundred pounds, or ſuch greater ſums as to the ſaid juſtices ſhall ſeem reaſonable, with condition to appear at the next quarter-ſeſſions to be held for the county where ſuch offences are ſuppoſed to be committed, or where the offenders did laſt reſide, or were taken, and not to depart the ſaid court without licence. Binding in a recognizance.

(3) And the ſaid juſtice ſhall at the firſt ſitting of the ſaid court of quarter-ſeſſions, return the ſaid examinations and recognizances unto the clerk of the peace in open court, who ſhall cauſe an information to be framed againſt ſuch perſons or ſuſpected perſons, who ſhall inſtantly anſwer thereunto, and proceed to trial thereon, and in caſe upon ſuch trial, it ſhall by proof appear to the court, that any perſon, money, or other thing, was by them ſent or conveyed into any parts beyond the ſeas out of his Majeſty's obedience. Returning the examinations.

(4) And in caſe by ſuch proof it ſhall appear probable to the ſaid court, that ſuch ſending or conveying was contrary to this act, then they ſhall take upon themſelves the proof where ſuch perſon ſo by them ſent then is, and alſo to what intent ſuch money or other thing were ſent by them beyond the ſeas; and in caſe any ſuch children or other perſons that ſhall go or be ſent, or conveyed away as aforeſaid, or any money by way of exchange, or any other means, ſhall be ſent into foreign parts contrary to the intent of this act, ſuch going or ſending ſhall be adjudged to be going or ſending contrary to this act, unleſs the parties denying the ſame ſhall prove the contrary. Proof to be made.

(5) Or if by failure of ſuch proof, or otherwiſe upon examination it ſhall appear to the ſaid court, that ſuch offences have been committed contrary to this act, the ſame being entered on record, ſhall be a conviction as well of the perſons ſo being ſent, as of the parties ſo ſending, and they ſhall forfeit and incur all the penalties and diſabilities before mentioned, the one moiety of all ſuch forfeitures to be to his Majeſty, and the other moiety to them that ſhall ſue for the ſame in any court of record by action, &c. wherein no eſſoign, &c. ſhall be allowed. Failure of proof.

III. *Sect.* 3. If any perſons againſt whom ſuch judgment ſhall be given as aforeſaid, ſhall find him or herſelf aggrieved thereby, it ſhall be lawful for ſuch perſons to appeal to the juſtices of aſſiſe of the ſaid county at the next aſſiſes, which juſtices of aſſiſe are authorized in the ſame aſſiſes to cauſe the ſaid proceedings in the quarter-ſeſſions to be brought before them, and there to review and examine the ſame, and to reverſe, alter and confirm the ſame as to juſtice ſhall appertain; and all officers in whoſe cuſtody ſuch proceedings and conviction ſhall be at the time of ſuch inquiry by the ſaid judges of aſſiſe, ſhall obey the orders and directions of the ſaid judges of aſſiſe therein. Appeal to juſtices of aſſiſe.

IV. *Sect.* 4. If any perſon be convicted of being ſent beyond the ſeas contrary to this act, by the conviction of the perſon ſending or conveying him, only, ſuch perſon upon his return into this kingdom, ſhall, within twelve months after ſuch return, or within twelve months after attaining the age of one and twenty years, upon prayer by motion to the King's-bench, be admitted to his trial; and the judges of the ſaid court are required upon ſuch prayer, to cauſe an information to be exhibited againſt ſuch perſons, to which they ſhall plead, and thereupon the ſaid court ſhall proceed to trial by jury of the county where the ſaid court ſhall then ſit. Admiſſion to trial.

Proof by defendants.

(2) And the defendants ſhall upon their trial be obliged to prove to what intent they were ſent beyond the ſeas, and unleſs they ſhall make ſuch proof, whereby it may appear that they were not ſent contrary to this act, it ſhall be taken for granted that he was ſent contrary to this act, as though the ſame had been fully proved; and in caſe upon their trial, ſuch perſons ſhall be acquitted, they ſhall be diſcharged of all the diſabilities, penalties and forfeitures in this act, except their goods and chattels, and the profits of their lands incurred and received before ſuch acquittal.

Diſcharge on taking the oaths.

V. *ſect.* 5. Every ſuch perſon ſent as aforeſaid, that ſhall within ſix months after his return into this kingdom, in the chancery or King's-bench in term time, between the hours of eight and twelve in the morning, take the oaths, and repeat and ſubſcribe the declaration appointed by one act, lately made in the parliament of England, *for abrogating the oath of ſupremacy in Ireland, and appointing other oaths*, ſhall from thenceforth be diſcharged of all the incapacities and diſabilities aforeſaid; and ſhall from the time of his taking ſuch oaths, &c. be reſtored to the receipt of the future iſſues and profits of his real eſtate only, but ſhall loſe all the paſt iſſues and profits thereof, and all his perſonal eſtate.

Refuſing the oaths.

VI. *ſect.* 6. If ſuch perſons after their taking the ſaid oaths, and making, repeating and ſubſcribing the ſaid declaration, profeſs themſelves of the popiſh religion, or refuſe the taking the ſaid oaths, and repeating and ſubſcribing the ſaid declaration, when the ſame ſhall be to them tendered by the juſtices of the peace in their open quarter-ſeſſions, for the county or place where ſuch perſons ſhall reſide, which the ſaid juſtices are required to tender to all whom they ſhall ſuſpect to have

Relapſe to popery.

relapſed, or ſhall upon due ſummons refuſe to appear at ſuch quarter-ſeſſions, for the purpoſe aforeſaid, the ſaid perſons ſhall incur all the diſabilities, penalties and loſſes herein before contained, as if ſuch perſons had never taken the ſaid oaths, &c.

Trial of offences.

VII. *ſect.* 7. All offences againſt this act may be inquired into, and determined before the juſtices of the King's bench, or juſtices of aſſiſes, or gaol delivery, or of oyer and terminer, of ſuch counties where the offenders did laſt dwell, or whence they departed, or were ſent out of the kingdom, or where they went, or ſhall be apprehended.

Acquittal by a jury.

VIII. *ſect.* 8. If any perſon ſhall upon his trial before the juſtices at the quarter-ſeſſions, be acquitted by the ſaid court of any offence againſt this act, or upon his appeal to the judges of aſſiſe as by this act is directed, ſhall be acquitted, or in caſe he ſhall upon his trial be acquitted by the jury upon any indictment, preſentment or information, proſecuted againſt him for any offence contrary to this act, ſuch perſon ſhall not be liable after ſuch acquittal to be proſecuted upon this act in any other manner for the ſame offence.

Popiſh ſchoolmaſters.

IX. *ſect.* 9. No perſon of the popiſh religion, ſhall publickly teach ſchool or inſtruct youth, or in private houſes teach or inſtruct youth, except only the children, or others under the guardianſhip of the maſter or miſtreſs of ſuch private family, upon pain of twenty pounds, and alſo being committed to priſon for three months, for every ſuch offence. *Eng. Stat.* 3 *Car.* 1. *cap.* 3.

Search for arms.

X. *Stat.* 7 *Will.* 3. *cap.* 5. *ſect.* 1. It ſhall be lawful for any two juſtices of the peace, and to all mayors, ſheriffs, and chief officers of cities and towns corporate in their liberties, by themſelves, or by warrants under their hands and ſeals reſpectively, to ſearch for and ſeize all ſuch arms, armour, and ammunition, *of papiſts, or in the hands of any perſons in truſt for them, &c.* as ſhall be concealed in any houſe, lodging, or other places where they ſhall ſuſpect any ſuch ſhall be concealed.

(2) And

(2) And ſuch arms, &c. ſo ſeized, ſhall, by the perſons ſeizing the ſame, be preſerved for the uſe of his Majeſty; and the ſaid perſons ſhall return a particular account thereof to the lord deputy or chief governors, to the end the ſame may be brought into his Majeſty's ſtores, or be diſpoſed of as they ſhall think fit. Seizure of arms found.

XI. *ſect.* 2. No ſuch ſearches ſhall be made in any houſes or lodgings, ſave only between the riſing and ſetting of the ſun, other than in cities and their ſuburbs, towns-corporate, market-towns, and houſes of ſuch cities and towns, if it ſhall be ſo thought neceſſary, and the warrants for that purpoſe do direct. Search in the day-time.

(2) And in caſe ſuch juſtices of the peace, or other chief magiſtrate, after ſuch ſearch made, ſhall find cauſe to ſuſpect that any arms or ammunition remain concealed, and not ſeized as aforeſaid, they are required to cauſe ſuch perſons, whom they ſhall ſuſpect to have concealed the ſame, to be brought before them, and to be examined upon their oath concerning the ſame. Examination on oath.

XII. *ſect.* 3. Every papiſt who ſhall have or keep any arms or ammunition, and every perſon who wittingly ſhall have any arms or ammunition, to the uſe of or in truſt for any ſuch papiſt, contrary to the intent hereof, and every perſon who upon demand or ſearch made for ſuch arms, &c. ſhall refuſe to declare to the juſtices, mayors, or other perſons impowered for ſeizing and ſearching for ſuch arms and ammunition, what arms and ammunition they, or any other to his knowledge, or with his privity have, or ſhall hinder the delivery thereof to any the ſaid juſtices, or any other perſons authorized by warrant as aforeſaid, to ſearch for and ſeize the ſame, and every perſon who ſhall refuſe to make diſcovery upon their oath, to be adminiſtred by ſuch juſtices or chief officer of any city or town-corporate as aforeſaid, or being ſummoned by warrant under the hands of two juſtices, whereof notice in writing to be given to him or her, or left at his or her uſual place of abode, ſhall, without reaſonable cauſe, neglect to appear to be examined as aforeſaid, every perſon ſo offending ſhall forfeit, if ſuch perſon be a peer or peereſs, for the firſt offence one hundred pounds ſterl. and if ſuch perſons ſhall offend a ſecond time, then ſuch perſons ſhall incur a *premunire*, and being thereof convicted ſhall ſuffer puniſhment accordingly. And if ſuch perſons offending ſhall be under the degree of a peer or peereſs, they ſhall, for the firſt offence, being thereof convicted upon any indictment or information at the aſſiſes or quarter-ſeſſions for the county where ſuch offence ſhall be committed, forfeit thirty pounds, and ſhall ſuffer impriſonment by order of the juſtices of aſſiſe at the aſſiſes, or juſtices of the peace in their general quarter-ſeſſions, for one year, and until they ſhall pay the penalty aforeſaid. And if ſuch perſons ſhall offend a ſecond time, ſuch perſons ſhall, for ſuch ſecond offence, being convicted of the firſt offence, incur the penalties of perſons attainted in a *premunire*, the ſaid penalties and ſums ſo to be forfeit by ſuch peer or peereſs to be recovered by action of debt, &c. in any court of record, in which no eſſoign, &c. ſhall be allowed, one moiety to the uſe of his Majeſty, and the other to ſuch perſons who ſhall ſue for the ſame. Forfeiture for concealment, &c. Premunire.

XIII. *ſect.* 6. Provided that the lord deputy, or chief governors and privy council, may, by order of privy council, licenſe any perſons to keep ſuch arms as ſhall be particularly expreſſed in ſuch licence, in as ample manner as ſuch chief governors might have done before the paſſing of this act, which licence ſhall be granted without any fee, other than one ſhilling for the writing thereof. Licence to keep arms.

XIV. *ſect.* 7. No perſon making locks or barrels for fire-arms, or making ſwords, knives, or other weapons, ſhall take to prentice, or receive or inſtruct as an apprentice, any perſon of the popiſh religion, on pain that every perſon ſo offending ſhall, for every ſuch offence forfeit twenty pounds, to be recovered by bill, &c. in Apprentices to gun-ſmiths.

any court of record, one moiety to be to his Majeſty, and the other to the informer, or them that ſhall ſue for the ſame.

Indentures void.

XV. *ſect.* 8. The indenture of apprenticeſhip, and all bonds and contracts to be made by reaſon of any ſuch popiſh perſon being put to be an apprentice as aforeſaid, ſhall be void, and every ſuch perſon of the popiſh religion who ſhall be put to be an apprentice contrary to this act, and who ſhall exerciſe the ſaid art, ſhall for every ſuch offence forfeit twenty pounds, to be ſued for and recovered as aforeſaid, to the uſes before mentioned.

Tender of the oaths.

(2) And the juſtices of the peace, and head officers of cities and towns-corporate, are required to ſend for all apprentices of ſuch perſons exerciſing the art aforeſaid, whom they ſhall ſuſpect, and ſhall tender to them the oaths and declaration *which are preſcribed by* Eng. Stat. 3 & 4 Will. & Mar. cap. 2. *(See Tit.* **Oaths.**) to be by them taken and ſubſcribed, and the refuſal of ſuch perſons to take the ſaid oaths, or ſubſcribe the ſaid declaration, ſhall be a conviction of his being guilty, as alſo of the maſter of ſuch apprentice, unleſs ſuch maſter ſhall prove, that ſuch apprentice at the time of entring his ſervice, was known or reputed to be of the proteſtant religion.

Horſes above five pounds value.

XVI. *ſect.* 9. No papiſt ſhall be capable to have or keep in his poſſeſſion, or in the poſſeſſion of any other perſon to his uſe, or at his diſpoſition, any horſe, gelding or mare, which ſhall be of the value of five pounds, and if any proteſtant ſhall make diſcovery upon oath of any ſuch horſes to be in the poſſeſſion of ſuch papiſt, or of any perſon in truſt for him, to any two juſtices of the peace, or to the chief magiſtrate of any city or town-corporate, ſuch juſtice or chief magiſtrate ſhall by warrant authorize ſuch perſon with the aſſiſtance of the conſtable, or ſuch other perſon as they ſhall think fit, who are required to be aſſiſting therein, in the day-time only, to ſearch for and ſecure all ſuch horſes, and in caſe of reſiſtance to break open any door, and bring ſuch horſes before them.

Tender of five pounds.

(2) And ſuch proteſtant making ſuch diſcovery, paying or making tender before ſuch juſtices or chief magiſtrate of five pounds five ſhillings to the owner or poſſeſſor of ſuch horſe, or to ſuch juſtice or chief magiſtrate in their abſence, which the ſaid juſtice or chief magiſtrate are authorized to receive for the uſe of ſuch owner or poſſeſſor, after ſuch payment or tender and refuſal, the property of ſuch horſes for which ſuch ſums ſhall be reſpectively tendered or paid, ſhall be veſted in the perſon making ſuch diſcovery and tender, as if ſuch horſes had been bought and ſold in market overt, and the ſaid juſtices or head-officer are required by warrant to cauſe ſuch horſes to be delivered accordingly.

This clauſe is not to extend to ſtud-mares or ſtallions. See Par. CV.

Concealing horſes.

XVII. *ſect.* 10. If any perſon ſhall conceal, or be aiding in the concealing any ſuch horſes belonging to any papiſt or ſuſpected papiſt, refuſing to take the oaths, and ſubſcribe the declaration aforeſaid, ſuch perſons being thereof convicted by the oaths of two credible witneſſes, before any juſtice of the peace of the county where ſuch horſes ſhall be concealed ſhall be committed to the common gaol three months, and all forfeit to his Majeſty treble the value of ſuch horſes, to be ſettled by the juſtices in their quarter-ſeſſions, who are authorized to continue ſuch perſon in priſon until payment of ſuch ſum. *Eng. Stat.* 1 *Will & Mar. cap.* 15. *Sect.* 9, 10.

Refuſing to take the oaths.

XVIII. *ſect.* 11. Every perſon ſhall be deemed a papiſt within the meaning of this act, who ſhall refuſe to take the oaths and ſubſcribe the declaration before mentioned, when the ſame ſhall be tendered to him by any juſtice of the peace, which oaths and declaration the ſaid juſtices of the peace and chief magiſtrates are required to adminiſter, if any ſuch perſons ſhall deny themſelves to be a papiſt within

n the meaning of this act, and if any ſuch perſons ſhall take the ſaid oaths, and ſubſcribe the ſaid declaration, the ſaid juſtices ſhall certify their taking the ſaid oaths, and return the ſaid declaration to the next quarter-ſeſſions, there to be recorded.

XIX. *ſect.* 12. If any juſtices or chief magiſtrates ſhall neglect or refuſe to execute any powers which they are required by this act to put in execution, every ſuch juſtice or chief magiſtrate, or officer, ſhall, for every ſuch default, forfeit fifty pounds, to be recovered in any court of record by bill, &c. wherein no eſſoign, &c. ſhall be allowed; the one moiety to his Majeſty, and the other to ſuch perſon as ſhall ſue for the ſame, and the ſaid offenders ſhall be incapable, after being convicted, to act as juſtice of the peace or chief magiſtrate, or officer in any county, city, or town-corporate. Neglect of magiſtrates.

XX. *Stat.* 9 *Will.* 3. *cap.* 26. *ſect.* 1. All popiſh archbiſhops, biſhops, vicars-general, deans, jeſuits, monks, friars, and all other regular popiſh clergy, and all papiſts exerciſing any eccleſiaſtical juriſdiction, ſhall depart out of this kingdom before the firſt day of May one thouſand ſix hundred ninety eight, and if any of the ſaid eccleſiaſtical perſons ſhall be at any time after the ſaid day within this kingdom, they ſhall ſuffer impriſonment, and remain in priſon till they ſhall be tranſported out of his Majeſty's dominions, wherever his Majeſty, or the chief governors of this kingdom ſhall think fit, and if any perſon ſo tranſported ſhall return again into this kingdom, they ſhall be guilty of high treaſon. Papiſts exerciſing juriſdiction.

XXI. *ſect.* 3. No popiſh biſhop, &c. nor any other papiſt exerciſing any eccleſiaſtical juriſdiction, not eſtabliſhed by law, jeſuit or friar, ſhall come into this kingdom on pain of twelve months impriſonment, and then to be tranſported in manner aforeſaid; and if any ſuch romiſh eccleſiaſtical perſon ſo tranſported ſhall again return into this kingdom, he ſhall be guilty of high treaſon. Popiſh biſhops, &c.

XXII. *ſect.* 4. Any perſon that ſhall knowingly harbour, relieve, conceal or entertain any ſuch popiſh biſhop, &c. or any other papiſt exerciſing any eccleſiaſtical juriſdiction, not eſtabliſhed by law, or any regular popiſh clergyman hereby required to depart out out of this kingdom, or ſhall come into this kingdom contrary to this act, ſhall for the firſt offence forfeit twenty pounds, for the ſecond offence double the ſaid ſum, to be levied in manner herein after expreſſed, and if he ſhall offend the third time, to forfeit all his lands of freehold or inheritance during his life, and alſo all his goods and chattels, one moiety to his Majeſty, the other moiety to ſuch perſon as ſhall inform, ſo as ſuch moiety do not exceed one hundred pounds, and the ſurplus of what ſhall remain to his Majeſty, the ſaid forfeiture for ſuch third offence, to be recovered by bill, &c. or action for debt in any court of record at Dublin, or at the aſſiſes in the reſpective counties. Harbouring popiſh biſhops, &c.

XXIII. *ſect.* 5. Upon information on oath to any juſtice of peace againſt any perſons that ſhall knowingly entertain or conceal any ſuch popiſh biſhop, jeſuit, friar, or other eccleſiaſtical popiſh perſon contrary to this act, the ſaid juſtice ſhall iſſue a ſummons requiring the perſons ſo informed againſt, at a certain day and place within the county where ſuch offence ſhall be committed, to appear before him and ſome other juſtice of the ſaid county to anſwer the ſaid matter laid to their charge, at which time and place the ſaid juſtices ſhall in preſence of the perſons accuſed, or in caſe of their neglect to appear being duly ſummoned, proceed to the examination of the matter. Summons to appear.

(2) And if it ſhall appear to them on evidence upon oath, that the perſons ſo complained of are guilty, the ſaid juſtices ſhall by warrant levy the afore-ſaid forfeitures of twenty pounds for the firſt offence, and forty pounds for the ſecond offence, of the goods of the perſons offending, and diſpoſe of one moiety of ſuch Penalties to be levied.

forfeitures

forfeitures to the informers, and the other moiety to the treaſurer of the county for the uſe of the county, and for default thereof to commit the perſons offending to the county gaol, until they ſhall pay the ſaid penalties.

Appeal to the judges of aſſiſe.

XXIV. *ſect.* 7. If any perſons ſhall think themſelves aggrieved by the judgment of ſuch two juſtices of the peace, the perſons ſo aggrieved may appeal to the next judges of aſſiſe, or to the juſtices at the next quarter-ſeſſions, who are impowered to examine the matter and give relief therein.

Warrants to be iſſued.

XXV. *ſect.* 8. Every juſtice of the peace ſhall, from time to time, iſſue their warrants for the apprehending and committal of all popiſh biſhops, jeſuits, friars, and other popiſh eccleſiaſtical perſons that ſhall remain in this kingdom contrary to this act, and for ſuppreſſing all monaſteries, friaries, nunneries, or other popiſh fraternities or ſocieties.

Account of proceedings.

XXVI. *ſect.* 9. All and every the juſtices of the peace ſhall give an account in writing of their proceedings in execution of this ſtatute, at the next quarter-ſeſſions for the county in which he ſhall dwell, which ſhall be at ſuch quarter-ſeſſions entered and regiſtred.

Forfeiture for neglects.

XXVII. *ſect.* 10. If any juſtice of the peace, mayor or other officer, ſhall neglect doing their duty in execution of this act, every ſuch juſtice and other officer ſhall, for every ſuch neglect, forfeit one hundred pounds, to be recovered by action of debt, &c. wherein no eſſoign, &c. ſhall be allowed, nor but one imparlance, one moiety thereof to the King, the other moiety to the informer or perſon that ſhall ſue for the ſame, and be diſabled from ſerving as a juſtice of peace during his life.

Diſabilities on omitting to take the oaths.

XXVIII. *Eng. Stat.* 1 *Ann. ſtat.* 1. *cap.* 32. *ſect.* 7. If any perſon educated in the popiſh religion, or profeſſing the ſame, and being under the age of eighteen years ſhall not, within ſix months after he ſhall attain the age aforeſaid, take the oaths of allegiance and ſupremacy, and ſubſcribe the declaration expreſſed in an act 30 *Car.* 2. *ſtat.* 2. (*which is the ſame preſcribed by* Eng. Stat. 3 & 4 Will & Mar. cap. 2. *See Tit.* **Oaths**.) in the courts of chancery or King's-bench in England or Ireland, or quarter-ſeſſions in any county in England or Ireland where ſuch perſon ſhall reſide, and continue to be a proteſtant, ſuch perſon ſhall in reſpect of himſelf only, and not in reſpect of his heirs or poſterity, be diſabled to take by deſcent, deviſe or limitation, any of the forfeited eſtates purchaſed in Ireland, and during the life of ſuch perſon, or until he take the oaths, &c. the next of his kindred, who ſhall be a proteſtant, ſhall enjoy the premiſſes.

Eſtates void.

XXIX. *ſect.* 8. Every ſuch papiſt, &c. ſhall be diſabled to purchaſe any of the premiſſes, and all eſtates and intereſts in the premiſſes, for the benefit of any ſuch perſon ſhall be void.

Leaſes of forfeited eſtates.

XXX. *ſect.* 9. All leaſes which ſhall be made of any of the ſaid forfeited eſtates, ſhall be made to ſuch perſons only as are of the proteſtant religion; and if any leaſe ſhall be made of any the tenements aforeſaid, to or in truſt for any papiſt, or ſhall be aſſigned to or in truſt for any papiſt, ſuch leaſe and aſſignment ſhall be void, and as well the perſon making ſuch leaſe or aſſignment, as the perſon for whoſe benefit the ſame ſhall be made, (in caſe ſuch perſon accept ſuch leaſe or aſſignment, or occupy any of the tenements therein contained) ſhall forfeit treble the yearly value of the lands ſo let, aſſigned or occupied, one moiety to her Majeſty, and the other moiety to ſuch proteſtant who will ſue for the ſame in any of her Majeſty's courts of record at Dublin.

Cottages excepted.

XXXI. *ſect.* 10. Nothing in this act ſhall make void any leaſe of any cottage or cabbin, under the yearly value of thirty ſhillings to any day-labourer.

XXXII. *ſect.*

XXXII. *ſect.* 15. No papiſt during the time of his profeſſing the popiſh religion, ſhall be capable to inherit, take or enjoy any other forfeited eſtates or any intereſt therein, and if any perſon profeſſing the popiſh religion, or educated in the ſame, and not having publickly renounced it, being of full age, ſhall not within ſix months after the accruing of his title, or being under the age of eighteen years, ſhall not within ſix months after he ſhall attain the age aforeſaid, take the oaths of allegiance and ſupremacy, and ſubſcribe the declaration expreſſed in an act 30 *Car.* 2. *ſtat.* 2. to be made, &c. in the courts of chancery or King's-bench in England or Ireland, or quarter-ſeſſions in any county of England or Ireland, where ſuch perſon ſhall reſide, and continue a proteſtant, every ſuch perſon ſhall in reſpect of himſelf only, and not in reſpect of his heirs or poſterity, be diſabled to inherit or take any of the premiſſes, or any truſt or intereſt in the ſame, and during the life of ſuch perſon, or until he ſhall take the oaths, &c. the next of his kindred, who ſhall be a proteſtant ſhall enjoy the premiſſes. Titles of papiſts. Diſabled to inherit.

XXXIII. *ſect.* 16. All leaſes of any of the premiſſes ſhall be made to proteſtants and none other, and if any leaſe ſhall be made of any of the premiſſes unto, or in truſt for any papiſt, or ſhall be aſſigned to, or in truſt for any papiſt, every ſuch leaſe and aſſignment ſhall be void, and as well the perſon making ſuch leaſe or aſſignment, as the perſon for whoſe benefit the ſame ſhall be made (in caſe ſuch perſon ſhall accept ſuch leaſe or aſſignment, or ſhall occupy any the tenements therein contained) ſhall forfeit treble the yearly value of the lands ſo let, aſſigned, or occupied, one moiety to her Majeſty, and the other to ſuch proteſtant who ſhall ſue for the ſame in any of her Majeſty's courts of record at Dublin. Leaſes to proteſtants only.

XXXIV. *ſect.* 17. Provided that nothing in the laſt clauſe ſhall make void any leaſe of any cottage or cabbin, under the yearly value of thirty ſhillings to any day-labourer. Cottages excepted.

XXXV. *ſect.* 20. In all acts which have paſſed this ſeſſion of parliament relating to the forfeited eſtates in Ireland, which injoin the taking the oaths of allegiance, the perſons injoined to take the oaths of allegiance, ſhall be obliged at the ſame time to take the oath of ſupremacy, under the like penalties. Oath of ſupremacy.

XXXVI. *ſect.* 21. There ſhall not be let with any cabbin or cottage to any day-labourer (as by any acts of this ſeſſion relating to the forfeited eſtates in Ireland is permitted) above two acres of land, and not above one cottage or cabbin with ſuch land to any one day-labourer. Two acres only with cabbins.

(2) And in caſe any other leaſe ſhall be ſo made, or more land be let than as aforeſaid, the leaſe of ſuch cottage, &c. ſhall be void, and as well the perſon making as the perſon taking ſuch leaſe, or occupying ſuch cottage or lands, ſhall forfeit treble the yearly value, to be recovered and diſtributed as any other penalties by the ſaid acts. Leaſes void.

XXXVII. *ſect.* 22. This ſhall be a public act. Publick act.

XXXVIII. *Stat.* 2 *Ann. cap.* 3. *ſect.* 1. Every clergyman of the popiſh religion that ſhall come into this kingdom, ſhall be liable to ſuch penalties, forfeitures, and puniſhments, as by the act 9 *Will.* 3. *cap.* 26. is impoſed on popiſh biſhops, &c. or any other papiſts exerciſing any eccleſiaſtical juriſdiction, who ſhall come into this kingdom contrary to the ſaid act. Popiſh clergymen.

(2) And any perſon who ſhall knowingly harbour, relieve, conceal, or entertain any ſuch clergyman of the popiſh religion, ſhall be liable to ſuch penalties and forfeitures, as by the ſaid act is impoſed on the harbourers and concealers of any popiſh biſhop, &c. or regular popiſh clergyman, to be levied in the ſame manner as by the ſaid act is directed. Penalties for harbouring.

XXXIX. *ſect.*

Apprehending prieſts.

XXXIX. *ſect.* 2. All juſtices of the peace, ſheriffs, high and petty conſtables, and all other ſubjects, are required to uſe their utmoſt diligence in apprehending all ſuch regular or other popiſh prieſt who ſhall come into this kingdom contrary to this act.

Forfeiture for neglect.

XL. *ſect.* 3. If any mayor juſtice of the peace, or other officer, ſhall neglect doing their duty in execution of this act, every ſuch juſtice and other officer ſhall for every ſuch neglect forfeit one hundred pounds, to be recovered by action of debt, &c. wherein no eſſoign, &c. ſhall be allowed, one moiety thereof to the Queen, the other moiety to the informer, or perſon that ſhall ſue for the ſame, and be diſabled from ſerving as a juſtice of the peace during his life.

Trial in any county.

XLI. *ſect.* 4. All perſons who ſhall return or come into this kingdom contrary to the aforementioned ſtatute, or ſhall come into this kingdom contrary to this act, may be indicted and tried for the ſame in ſuch county wherein they ſhall be taken, or in any county where her Majeſty, &c. by commiſſion under the great ſeal of this kingdom ſhall appoint.

This act is made perpetual by Stat. 8 *Ann. cap.* 3.

Perverting proteſtants.

XLII. *Stat.* 2 *Ann. cap.* 6. *ſect.* 1 If any perſons ſhall ſeduce, perſuade, or pervert, any perſon that ſhall profeſs the proteſtant religion to forſake the ſame, and to profeſs the popiſh religion, or reconcile them to the church of Rome, perſons ſo ſeducing, as alſo every proteſtant who ſhall be ſo perverted and reconciled to popery, ſhall for the ſaid offences, being thereof convicted, incur the penalty of *premunire*, mentioned in the ſtatute of *premunire* made in England 16 *Ric.* 2

Sending children to France, &c.

(2) And if any perſon being a papiſt, or profeſſing the popiſh religion, ſhall ſend, or cauſe, or willingly ſuffer to be ſent, any child under the age of one and twenty years, except ſailors, ſkip-boys, or the apprentice or factor of ſome merchant in trade of merchandiſe into France, or any other parts beyond the ſeas, out of her Majeſty's dominions, without the ſpecial licence of her Majeſty or chief governors of this kingdom, and four or more of her privy council of this realm, under their hands firſt obtained, they ſhall incur the penalties and forfeitures mentioned in an act made in the ſeventh year of King William, cap. 4. *to reſtrain foreign education.*

Children to be produced.

XLIII. *ſect.* 2. Where any of the judges of her Majeſty's courts of Queen's bench, common pleas, or barons of the exchequer, or any two juſtices of the peace, ſhall have reaſonable cauſe to ſuſpect, that any ſuch child except before excepted, and alſo except ſuch children as ſhall be ſent abroad with ſuch licence as aforeſaid, has been ſent into foreign parts, they are required to convene the father or mother, or ſuch other relation, guardian, or perſons, as had the tuition or care of the ſaid child, and ſhall require them to produce before them the ſaid child within two months after.

Penalty.

(2) And if ſuch perſons ſhall not produce and bring before the ſaid judge or juſtices ſuch child within the ſaid time, or ſhew reaſonable cauſe for the obtaining further time for the ſame, till the next following quarter-ſeſſions of the county wherein ſuch perſons ſhall reſide, or ſhall not give good proof that the ſaid child is reſident ſomewhere within this kingdom, or the kingdom of England or Scotland, and not in parts beyond the ſeas, ſuch child ſhall be deemed to be then educated in foreign parts contrary to the aforeſaid act, and ſhall incur all the penalties and diſabilities in the ſaid act mentioned.

Preamble.

XLIV. *ſect.* 3. *That no children of popiſh parents who ſhall profeſs or embrace the proteſtant religion, or ſhall be willing to be inſtructed and educated therein, may*

in

in the life time of ſuch popiſh parents, for fear of being caſt off or diſinherited by them, or for want of a fitting maintenance or future proviſion, be compelled to embrace the popiſh religion, or be deterred from profeſſing the proteſtant religion.

(2) Upon complaint in the court of chancery, by bill founded on this act, againſt ſuch popiſh parent, it ſhall be lawful for the ſaid court to make ſuch order for the maintenance of every ſuch proteſtant child not maintained by ſuch popiſh parent ſuitable to the degree and ability of ſuch parent, and to the age of ſuch child, and alſo for the portion of every ſuch proteſtant child to be paid at the deceaſe of ſuch popiſh parent, as that court ſhall adjudge ſuitable to the degree and ability of ſuch parent. Proviſion for maintenance.

(3) And in caſe the eldeſt ſon and heir of ſuch popiſh parent ſhall be a proteſtant from the time of the inrolment in the chancery of a certificate of the biſhop of the dioceſe in which he ſhall inhabit, teſtifying his being a proteſtant, and conforming himſelf to the church of Ireland, as by law eſtabliſhed, ſuch popiſh parent ſhall become and ſhall be only tenant for life of all the real eſtate whereof ſuch popiſh parent ſhall be then ſeized in fee-tail or fee-ſimple, and the reverſion in fee ſhall be veſted in ſuch eldeſt ſon being a proteſtant, ſubject nevertheleſs to all ſuch debts and real incumbrances at the time of the inrolment of ſuch certificate, charging ſuch eſtate, and ſubject alſo to ſuch maintenances, and portions for the other children, as well proteſtants as papiſts, of ſuch popiſh parent, as the ſaid court ſhall order for them reſpectively, ſuch portions not to exceed the value of one third part of the inheritance of ſuch eſtate, which ſhall be held and enjoyed accordingly, diſcharged of all voluntary ſettlements made by ſuch parent, and alſo of all ſales and incumbrances made by him after ſuch inrolment of ſuch certificate. Heir of a popiſh parent.

(4) And the ſaid court is required to take care that diſtinct rolls be kept for inrolment of ſuch certificates, which ſhall publickly hang up or lie in ſome public place belonging to the ſaid court, for that purpoſe by the ſaid court to be appointed, where all perſons may at ſeaſonable times reſort to, and peruſe the ſame without fee, and for the inrolment of each ſuch certificate ſix pence and no more ſhall be paid. Rolls to be kept.

XLV. *ſect.* 5. No perſon of the popiſh religion ſhall be guardian unto, or have the tuition or cuſtody of any orphan or child under the age of twenty one years, but the ſame, where the perſon intitled to the guardianſhip of ſuch orphan ſhall be a papiſt, ſhall be diſpoſed of by the court of chancery to ſome near relation of ſuch orphan being a proteſtant, and conforming to the church of Ireland, as by law eſtabliſhed, to whom the eſtate cannot deſcend, in caſe there ſhall be any ſuch proteſtant relation fit to have the education of ſuch child, otherwiſe to ſome other proteſtant conforming himſelf as aforeſaid, who is required to uſe his utmoſt care to educate ſuch minor in the proteſtant religion, until the age of twenty one years. Popiſh guardians

(2) And the ſaid court of chancery is required, and by virtue of this act it ſhall be lawful for the ſaid court, to make ſuch order for the educating in the proteſtant religion the children of any papiſts, where either the father or the mother of ſuch children ſhall be a proteſtant, till the age of eighteen years of every ſuch child, as to that court ſhall ſeem meet, and to appoint where and in what manner, and by whom, ſuch children ſhall be educated, and the father of ſuch children ſhall pay the charges of ſuch education, as ſhall be directed by the ſaid court, and ſuch children ſhall be taken from ſuch popiſh parent for education according to ſuch order. Educating proteſtants.

(3) And if any perſons, profeſſing the popiſh religion, ſhall take upon them the guardianſhip or tuition of any orphan contrary hereunto, they ſhall forfeit five Penalty on popiſh guardians.

hundred pounds to be recovered by action of debt, &c. wherein no eſſoign, &c. ſhall be allowed, the whole benefit of the ſaid forfeitures to be given to the Blue coat-hoſpital in Dublin.

Papiſts diſabled to purchaſe

XLVI. *ſect.* 8. Every papiſt, or perſon profeſſing the popiſh religion, ſhall be diſabled to purchaſe, either in their own name, or in the name of any other perſons in truſt for him or her, any lands or hereditaments, or any rents or profits out of the ſame, or any leaſes or terms thereof, other than term of years, not exceeding thirty one years, whereon a rent not leſs than two thirds of the improved yearly value, at the time of the making ſuch leaſe, ſhall be reſerved during ſuch term.

Leaſes for thirty one years.

(2) And all eſtates, terms, or other intereſts, or profits, other than ſuch leaſes not exceeding thirty one years, in or out of ſuch lands, &c. after the 24th of March 1703, to be bought and purchaſed by or for the uſe of any ſuch papiſt, or perſon profeſſing the popiſh religion, or upon any truſt or confidence mediately or immediately for the benefit of any ſuch perſons, ſhall be void.

Title by deſcent.

XLVII. *ſect.* 9. No papiſt or perſon profeſſing the popiſh religion, who ſhall not within ſix months after he or ſhe ſhall become intitled to enter, or to take the profits by deſcent, or by virtue of any deviſe or gift, or of any remainder limited, or to be limited, or by virtue of any truſt of any lands, &c. whereof any proteſtant ſhall be ſeized in fee-ſimple or fee-tail, or in ſuch manner, that after his death, or the death of him and his wife, the freehold is to come immediately to his ſon or iſſue in tail, if then of the age of eighteen years, or if under, within ſix months after he ſhall attain that age, until which time from his being ſo intitled he ſhall be under the care of ſuch proteſtant relation, or perſon conforming himſelf as aforeſaid, as ſhall be appointed by the court of chancery for his being educated in the proteſtant religion, become a proteſtant, and conform himſelf to the church eſtabliſhed, ſhall take any benefit by ſuch deſcent, deviſe, gift, remainder or truſt.

Proteſtant relations to enjoy.

(2) But during the life of ſuch perſon, or until he or ſhe do become a proteſtant, and conform as aforeſaid, the neareſt proteſtant relations, or other proteſtants and their heirs, being and continuing proteſtants, who ſhall be intitled to the ſame, in caſe ſuch perſon profeſſing the popiſh religion, and not conforming as aforeſaid, and all other intermediate popiſh relations and perſons were dead, and their heirs ſhall enjoy the ſaid lands, &c. without being accountable for the profits to be received during ſuch enjoyment, ſubject to ſuch charges, other than ſuch as ſhall be made by ſuch diſabled perſon, and in ſuch condition as the diſabled perſon would have held the ſame, the children of papiſts being to be taken to be papiſts, till they ſhall, by their conformity to the eſtabliſhed church appear to be proteſtants, and alſo ſubject to ſuch maintenance as the lord chancellor, keeper, or commiſſioners of the great ſeal of Ireland, ſhall think fit to allow to the children of ſuch papiſt, until ſuch children attain their reſpective ages of eighteen years.

Papiſts conforming.

XLVIII. *ſect.* 10. Provided that if any papiſt that would be intitled to the ſame by virtue of this act, on the diſability incurred by any other papiſt, ſhall after become proteſtant and conform as aforeſaid, from ſuch his conformity, ſuch conforming perſon and his heirs being and continuing proteſtants, ſhall be intitled as he would have been if he had been a proteſtant when the diſability fell on ſuch other papiſt.

Power to make leaſes.

(2) And the perſons ſo enjoying the ſame, by virtue of this act, may leaſe the ſame, or any part thereof, for twenty one years or leſs, without fine, reſerving the beſt improved rent that can be got for the ſame, at the time of the leaſing thereof, or make or renew leaſes of the ſame, in ſuch manner as the diſabled perſon

might do by virtue of any power only enabling him ſo to do, and ſuch leaſes ll be good againſt the diſabled perſon, and all others to claim after him.

(3) And in caſe any wilful waſte ſhall be committed on the ſaid lands, by the perſon ſo enjoying the ſame, or any other by his or her authority, the party diſabled, his or her executors or adminiſtrators, ſhall recover full damages for the ſame againſt the perſon committing ſuch waſte, his or her excutors or adminiſtrators, by action of debt in any court of record in Dublin. Damages for waſte.

XLIX. *ſect.* 11. Provided that the wife of ſuch perſon ſo diſabled, being a proteſtant, ſhall have her dower and thirds at the common law, as ſhe would have if this act had not been made. Saving of dower

L. *ſect.* 12. All lands whereof any papiſt ſhall be ſeized in fee-ſimple or fee-tail, ſhall ſo long as any papiſt ſhall be ſeized of or intitled to the ſame in fee-ſimple, or fee-tail, be of the nature of gavelkind, and if not aliened or diſpoſed of by ſuch papiſt in his life time, for valuable conſideration really and *bona fide* paid, ſhall for ſuch eſtate from ſuch papiſt deſcend to and be inherited by all the ſons of ſuch papiſt any way inheritable to ſuch eſtate, ſhare and ſhare like, and not deſcend on the eldeſt of ſuch ſons only, being a papiſt as heir at law, and ſhall in like manner, from ſuch reſpective ſons being papiſts, deſcend to and be inherited by all the ſons of ſuch ſons, ſhare and ſhare like, and not deſcend to the eldeſt of ſuch ſons, being a papiſt, as heir at law only, and for want of iſſue male of ſuch papiſt, the ſame ſhall deſcend to all his daughters, any way inheritable to ſuch eſtate, in equal proportions; and for want of ſuch iſſue among the collateral kindred of ſuch papiſt of the kin of his father, any way inheritable to ſuch eſtate in equal degree, and for want of ſuch kindred, to the collateral kindred of ſuch papiſt of the kin of his mother, any way inheritable to ſuch eſtate, and not otherwiſe, notwithſtanding any grant, ſettlement, or diſpoſition, by will or otherwiſe, that ſhall be made by ſuch papiſt, other than ſuch alienation or diſpoſition to be made by ſuch papiſt as aforeſaid, ſubject nevertheleſs to all ſuch debts and real incumbrances at the time of the deceaſe of ſuch papiſt charging ſuch eſtate. Eſtates of papiſts to gavel.

LI. *ſect.* 13. Provided it ſhall be lawful for ſuch papiſt to charge ſuch his eſtate with reaſonable maintenances and portions for his daughters, to be raiſed and paid in ſuch manner as he ſhall direct. Portions for daughters.

LII. *ſect.* 14. If the eldeſt ſon or heir at law of ſuch papiſt ſhall be a proteſtant at the time of the deceaſe of ſuch papiſt, whoſe heir he ſhall be, ſuch certificate of ſuch eldeſt ſon being a proteſtant, not having been inrolled in the life of ſuch papiſt, the lands whereof ſuch papiſt ſhall be ſo ſeized ſhall deſcend to ſuch eldeſt ſon or heir at law according to the rules of the common law, ſo as ſuch certificate of the biſhops, as aforeſaid, be inrolled within three months after the deceaſe of ſuch papiſt in the court of chancery, ſubject to ſuch debts and real incumbrances at the time of the deceaſe of ſuch papiſt charging ſuch eſtate. Proteſtant heir.

(2) And if the eldeſt ſon or heir at law of any ſuch papiſt, who ſhall at the time of the deceaſe of ſuch papiſt whoſe heir he is, be of the age of one and twenty years, ſhall become a proteſtant, and conform himſelf to the church of Ireland, as by law eſtabliſhed, within one year after ſuch deceaſe of ſuch papiſt, or being then under the age of one and twenty years ſhall, within one year after he ſhall attain that age become a proteſtant, and conform himſelf as aforeſaid, from the time of the inrolment, in the court of chancery, of the certificate of the biſhop of the dioceſe in which he ſhall inhabit, teſtifying his being a proteſtant, and conforming in manner aforeſaid, ſuch inrolment being made within ſuch year, he ſhall be intitled to, and ſhall enjoy from thenceforth the real eſtate of ſuch papiſt, as he might have done if he had been a proteſtant at the time of the deceaſe of ſuch papiſt whoſe heir he is, Heir of a papiſt conforming.

notwithſtanding any grant, ſettlement, or diſpoſition, by will or otherwiſe, that ſhall be made by ſuch papiſt, other than ſuch alienation or diſpoſition to be made by ſuch papiſt as aforeſaid, ſubject to ſuch debts and real incumbrances, at the deceaſe of ſuch papiſt, charging ſuch eſtate.

Portions for younger children

(2) And in every caſe where ſuch eldeſt ſon ſhall be intitled as aforeſaid by reaſon of his being a proteſtant, ſuch real eſtate ſhall be chargeable with ſuch ſums, for the maintenance and portions of the daughters and younger ſons of ſuch papiſt as the court of chancery ſhall appoint to be raiſed for them, and ſhall be raiſed and paid according to ſuch direction, ſuch portions not to exceed the value of one third part of ſuch eſtate.

Lands deſcendable.

LIII. *ſect.* 15. Provided that ſuch lands, during ſuch time as any proteſtant ſhall be ſeized thereof in fee ſimple or fee-tail, ſhall from ſuch proteſtant be deſcendable according to the rules of the common law.

Debts of papiſts to be inrolled.

LIV. *ſect.* 16 All debts and incumbrances to be contracted, that may charge or incumber any real eſtate of any papiſt, ſhall within ſix months next after the making thereof be inrolled in the court of exchequer, in rolls to be appointed by the ſaid court, which ſhall be kept in ſome public place belonging to the ſaid court to be appointed by the court for that purpoſe, where all perſons may at ſeaſonable times have the peruſal of the ſame, and in default of ſuch inrolment of ſuch incumbrance, the ſame ſhall not charge the lands of any papiſt during ſuch time as they ſhall belong to a proteſtant.

Conforming to the church, &c.

LV. *ſect.* 17. No perſon ſhall take benefit by this act as a proteſtant, within the intent and meaning hereof, that ſhall not conform to the church of Ireland, as by law eſtabliſhed, and ſubſcribe the declaration, and alſo take and ſubſcribe the oath of abjuration. *(See Tit.* **Oaths**.)

Limerick and Galway.

LVI. *ſect.* 24. No perſons that ſhall be papiſts, or profeſs the popiſh religion, ſhall take or purchaſe any houſe or tenement, or come to inhabit within the city of Limerick, or ſuburbs thereof, or within the town of Galway, or ſuburbs thereof.

Voting at elections.

LVII. *ſect.* 25. No freeholder, burgeſs, freeman, or inhabitant of this kingdom, being a papiſt, or profeſſing the popiſh religion, ſhall be capable of giving their vote for the electing of knights of any ſhires, or citizens, or burgeſſes to ſerve in any parliament, without firſt repairing to the quarter-ſeſſions of the peace to be holden for the counties, cities, or boroughs, wherein ſuch papiſt do inhabit, and there voluntary take the oath of allegiance, and alſo the oath of abjuration. *(See Tit.* **Oaths** *)*

Certificate of taking the oaths.

(2) And after the taking of the ſaid oaths, the clerk of the peace officiating in the ſeſſions ſhall enter the ſame upon record in the rolls of the ſaid ſeſſions, and is required to give ſuch perſons, ſo taking the ſaid oaths, a certificate of the ſame, for which one ſhilling and no more ſhall be paid, which certificate being produced to the high ſheriff at elections for knights of the ſhire, and to the chief officer of any city, town-corporate, or borough, to whom the return of any citizen or burgeſs to ſerve in parliament ſhall belong, they ſhall be permitted to vote as amply as any proteſtant.

Vote to be refuſed.

(3) But in caſe any freeholder, burgeſs, freeman, or inhabitant, being a papiſt, ſhall appear at any ſuch election, and tender himſelf to be polled for any candidate without producing ſuch certificate as aforeſaid, the ſaid ſheriff or other officers ſhall refuſe to enter his vote.

Advowſons of papiſts.

LVIII. *ſect.* 26. Where any papiſt, or perſon profeſſing the popiſh religion, ſhall claim or poſſeſs any advowſons of churches, right of patronage, or preſentation to any eccleſiaſtical benefice, or where any proteſtants ſhall claim or poſſeſs any advowſons

vowſons, right of patronage, or preſentation, to any eccleſiaſtical benefices in truſt for any papiſts, every ſuch advowſon, and right of patronage, or preſentation, ſhall be *ipſo facto* veſted in her Majeſty, according to ſuch eſtates as ſuch papiſts had in the ſame, until ſuch time as ſuch papiſt, or the heirs of ſuch papiſt, ſhall take the ſaid oath, and ſubſcribe the ſaid declaration and abjuration, and conform as aforeſaid.

LIX. *ſect.* 27. Whereas the ſuperſtitions of popery are greatly increaſed and upheld by the pretended ſanctity of places, eſpecially of a place called Saint Patrick's Purgatory in the county of Donegal, and of wells to which pilgrimages are made by vaſt numbers, at certain ſeaſons, all ſuch meetings and aſſemblies ſhall be adjudged riots, and unlawful aſſemblies, and puniſhable as ſuch in all perſons meeting at ſuch places; and all ſheriffs, juſtices of the peace and other magiſtrates are required to be diligent in putting the laws againſt offenders in due execution. Pilgrimages to wells, &c.

LX. *ſect.* 28. All perſons aſſembling at Saint Patrick's Purgatory or at any well or place contrary to this act, and who ſhall be thereof convict by their own confeſſion, or by the teſtimony of one ſufficient witneſs upon oath, before any juſtice of the peace, or mayor, or other chief magiſtrate of any city or corporation where the offence ſhall be committed, or the party offending apprehended, ſhall forfeit ten ſhillings, to be paid at ſuch time as by the ſaid juſtice or chief magiſtrate ſhall be appointed, the one moiety thereof to ſuch perſons who ſhall give information of the ſaid offence, and procure ſuch offenders to be convicted, the other moiety to be diſpoſed of to the poor of the pariſh where ſuch offender ſhall be convicted. Penalty on perſons aſſembling.

(2) And if ſuch offenders ſhall neglect or refuſe to pay the ſaid ſums to be aſſeſſed as aforeſaid, then the ſaid juſtices or chief magiſtrate ſhall commit ſuch offenders to ſome conſtable or other inferior officer, where the offence ſhall be committed, or the party apprehended, to be publickly whipped, which puniſhment the ſaid conſtable or other inferior officer is required to execute upon ſuch offender, purſuant to the order, within twenty four hours after ſuch order received. Whipping on refuſal to pay.

(3) And all perſons who at ſuch aſſemblies build booths, ſell ale, victuals, or other commodities, and ſhall be thereof convicted, by the view of any juſtice of the peace of the ſame county, or of any chief magiſtrate, within ſuch town wherein the ſame ſhall be, or by confeſſion of the party, or by the oath of one credible witneſs, before ſuch juſtice or chief magiſtrate, ſhall forfeit twenty ſhillings, to be levied by diſtreſs and ſale of the goods of ſuch offender, and in default of diſtreſs, by the impriſonment of the offender till payment thereof. Building booths, &c.

(4) All the ſaid penalties of twenty ſhillings to be applied to the ſervice of the public, in ſuch manner as the juſtices of the peace for the ſaid county at their quarter-ſeſſions ſhall appoint. Penalties how to be applied.

(5) And all the ſaid magiſtrates are required to demoliſh all croſſes, pictures, and inſcriptions, that are any where publickly ſet up, and are the occaſions of any popiſh ſuperſtitions. Demoliſhing croſſes, &c.

LXI. *ſect.* 29. Provided that nothing herein contained ſhall be conſtrued to hinder ſeamen, fiſhermen, or day-labourers, from holding or dwelling in houſes worth forty ſhillings the year or under, within the ſuburbs of the city of Limerick, or of the town of Galway. Fiſhermen, labourers, &c.

LXII. *Stat.* 2 *Ann. cap.* 7. *ſect.* 1. All popiſh prieſts who are now in this kingdom, ſhall at the next general quarter-ſeſſions of the peace to be held in all the ſeveral counties or counties of cities or towns, next after the 24th of June 1704, return their names and places of abode to the reſpective clerks of the peace in the counties, or counties Returns to be made by popiſh prieſts.

counties of cities or towns where the ſaid popiſh prieſts ſhall reſide, with their age, the pariſh of which he pretends to be popiſh prieſt, the time and place of their firſt receiving popiſh orders, and from whom they received the ſame, and ſhall then and there enter into recognizance with two ſufficient ſureties, each in the penal ſum of fifty pounds, that every ſuch popiſh prieſt ſhall be of peaceable behaviour, and not remove out of ſuch county where their place of abode lies, into any other part of this kingdom.

Neglecting, to be tranſported.

(2) And all popiſh prieſts who ſhall not make ſuch return, and enter into ſuch recognizance, and being thereof convict at the aſſiſes or quarter-ſeſſions of ſuch county, or counties of cities, or towns, wherein they ſhall dwell or be apprehended, ſhall be committed to the common gaol, where they ſhall be ſo convict, till they be tranſported.

Popiſh regulars.

LXIII. *ſect.* 2. All ſuch popiſh prieſts ſo convicted ſhall be tranſported out of this kingdom in like manner as popiſh regulars, and incur like penalties upon their return into the ſame, as are to be inflicted on popiſh regulars, by an act *for baniſhing all papiſts exerciſing any eccleſiaſtical juriſdiction*, 9 *Will.* 3. *cap.* 26.

Tranſmitting returns.

(2) And all clerks of the peace are required to tranſmit within twenty days after every ſuch quarter-ſeſſions, every ſuch return to the clerk of the council, upon the penalty to forfeit to her Majeſty ten pounds for every ſuch neglect, the ſaid penalty to be recovered by bill, &c. in any court of record; which tranſmitting of the ſaid return ſhall be incumbent on the ſaid clerks of the crown and peace to prove by a receipt in writing under the hand of the clerk of the council, who is required without fee to give ſuch receipt, on the penalty of twenty pounds, which penalty is to be recovered by bill, &c. in any court of record, which return ſo tranſmitted ſhall be kept by the ſaid clerk of the council to be viewed by any perſon without fee.

Convert popiſh prieſts.

LXIV. *ſect.* 3. Every popiſh prieſt being approved of as a convert, and received into the church by the archbiſhop or biſhop of the dioceſe wherein they reſided, and conforming himſelf to the church of Ireland as by law eſtabliſhed, and having taken the oaths, and made and ſubſcribed the declarations, in ſuch manner as the conformable clergy to the ſaid church are obliged to do, at any quarter-ſeſſions in any county or city, ſuch converted prieſts ſhall have twenty pounds yearly during their reſidence in ſuch county, for their maintenance, and till they are otherwiſe provided for, ſubject nevertheleſs to ſuſpenſion or deprivation of the archbiſhop or biſhop of the dioceſe wherein they ſhall reſide, in like manner as the reſt of the inferior clergy of this kingdom, the ſaid ſum to be levied on the inhabitants of ſuch county, or counties of cities or towns, where ſuch converted prieſts did laſt officiate or reſide, as money is levied that is charged by grand juries, and to be paid them by equal moieties, at the feaſt of the annunciation, and at the feaſt of St. Michael.

Proviſion for a maintenance.

Reading the liturgy.

(2) And ſuch converts ſhall publickly read the liturgy of the church of Ireland, in the Engliſh or Iriſh tongue, in ſuch places and at ſuch times as the ſaid archbiſhops or biſhops ſhall appoint.

Popiſh curates.

LXV. *ſect.* 4. No popiſh pariſh prieſt ſhall have any popiſh curate, aſſiſtant, or coadjutor, and every popiſh prieſt that ſhall neglect to regiſter himſelf purſuant to this act, ſhall depart out of this kingdom before the twentieth day of July 1704, on pain of being proſecuted as a popiſh regular clergyman; and all ſuch popiſh prieſts that ſhall neglect to regiſter themſelves as aforeſaid, and remain in this kingdom after the ſaid day, ſhall be eſteemed a popiſh regular clergyman, and proſecuted as ſuch.

LXVI. *ſect.*

LXVI. *ſect.* 5. This act ſhall be given in charge at every general aſſiſes; and the liſt of ſuch prieſts that are regiſtered ſhall be publickly read after the charge given. Reading at the aſſiſes

This act is made perpetual by Stat. 8 *Ann. cap.* 3.

LXVII. *Stat.* 4 *Ann. cap.* 2. *ſect.* 1. If any popiſh prieſt or perſon exerciſing the function of a popiſh prieſt, ſhall be found in this kingdom, other than ſuch prieſts who have regiſtered their names in purſuance to the act 2 *Ann. cap.* 7. *for regiſtring the popiſh clergy*, ſhall be liable to ſuch penalties as by the act 9 *Will.* 3. *cap.* 6. *made for baniſhing all papiſts exerciſing any eccleſiaſtical juriſdiction and all regulars of the popiſh clergy out of this kingdom*, are impoſed on popiſh biſhops, or any other papiſts exerciſing any eccleſiaſtical juriſdiction, who ſhall come into this kingdom contrary to the ſaid act. Prieſts not regiſtered.

LXVIII. *ſect.* 2. Any perſons who ſhall knowingly harbour, relieve, conceal, or entertain, any ſuch clergyman of the popiſh religion, or other perſons exerciſing the function of a popiſh prieſt, and not regiſtered as aforeſaid, ſhall be liable to ſuch penalties and forfeitures as by the ſaid acts are impoſed on the harbourers and concealers of any popiſh biſhop, &c. or regular popiſh clergyman, to be levied in the ſame manner as by the ſaid acts is directed. Harbouring popiſh prieſts.

LXIX. *ſect.* 3. All juſtices of the peace, ſheriffs, high and petty conſtables, and all other ſubjects, are required to uſe their utmoſt diligence in apprehending all ſuch popiſh prieſts, and other perſons exerciſing the function of a popiſh prieſt, and not regiſtered as aforeſaid. Apprehending prieſts.

LXX. *ſect.* 4. If any mayor, juſtice of the peace or other officer, voluntarily ſhall neglect their duty in execution of this act, every ſuch mayor, juſtice of the peace and other officer, ſhall for every ſuch neglect forfeit fifty pounds to be recovered by action of debt, &c. wherein no eſſoign, &c. ſhall be allowed, nor more than one imparlance, one moiety thereof to the Queen, and the other moiety to the informer or perſon that ſhall ſue for the ſame. Neglect of magiſtrates.

This act is made perpetual by Stat. 8 *Ann. cap.* 3.

LXXI. *Stat.* 8 *Ann. cap.* 3. *ſect.* 1. No papiſt, nor any perſon in truſt for any papiſt, ſhall be capable to take or receive any annuity for life or term of years determinable on any life or lives, or for any eſtate chargeable on, or that may affect any lands, &c. and all judgments, ſtatute ſtaple or merchant, recognizances, and all other ſecurities, which ſhall be entered into, to any papiſt or perſon in truſt for papiſts, for the ſecuring of any ſuch annuity, or performance of any ſuch truſt, and every judgment obtained on ſuch annuity, as far only as ſuch judgments may affect lands of ſuch papiſt, ſhall be void. Annuities or charges on lands.

LXXII. *ſect.* 2. Provided that any papiſt to whom ſuch annuity ſhall be granted, may, upon judgment obtained, take out execution againſt the perſon or perſonal eſtate of ſuch grantor. Remedy for the grantees.

LXXIII. *ſect.* 3. Where any children of popiſh parents ſhall conform themſelves to the proteſtant religion as by law eſtabliſhed, and inrol in the chancery a certificate of the biſhop of the dioceſe in which they ſhall reſide, teſtifying their being proteſtants, and conforming themſelves to the church of Ireland as by law eſtabliſhed, it ſhall be lawful for the court of chancery, upon a bill founded upon this act, to oblige the ſaid popiſh parents to diſcover upon oath the full value of all their eſtate, as well perſonal as real, clear over and above all real incumbrances and debts contracted *bona fide* for valuable conſideration, before the inrolment of ſuch certificate, and thereupon to make ſuch order for the maintenance of ſuch proteſtant children Proviſion for children conforming.

children by the diſtribution of the ſaid real and perſonal eſtate for the preſent ſupport, and alſo for the portions and future maintenances of ſuch proteſtant children, after the deceaſe of ſuch popiſh parents as the ſaid court ſhall judge fit.

Eſtates chargeable.

(2) By which order the real and perſonal eſtate of ſuch popiſh parent ſhall be charged with ſuch portions, future maintenances and ſupport, from the time of the inrolment of ſuch certificate, notwithſtanding any fraudulent gift or ſale, or voluntary diſpoſition, or any voluntary charge or incumbrance, made after the inrolment of the certificate aforeſaid, provided that ſuch diſtribution ſhall not exceed one third part of the perſonal and real eſtate for the maintenance and ſupport of ſuch proteſtant children during the life of ſuch popiſh parent.

Preamble.

LXXIV. *ſect.* 4. *Whereas ſuch popiſh parents do ſet up fraudulent ſettlements and incumbrances, and make fraudulent leaſes at low rents, to make their eſtate real and perſonal appear ſmall, in order to deprive ſuch of their children as ſhall become proteſtants of a reaſonable maintenance, and the eſtate of ſuch popiſh parents may increaſe after ſuch portions and allowances made by the court of chancery, and yet after ſuch decree is made up and inrolled, it may be doubted whether the lord chancellor, lord keeper, or commiſſioners of the great ſeal can increaſe ſuch portion or maintenances, notwithſtanding it ſhould be diſcovered and made appear that the eſtate real or perſonal of ſuch popiſh parents was much greater than at the time of the decree it appeared to be, or that ſuch popiſh parents had increaſed their eſtate, notwithſtanding any ſuch decree made up or inrolled*, it ſhall be lawful for the court of chancery, upon new bills

Court may augment proviſion.

founded upon this act, to augment ſuch portions or maintenances formerly allowed to ſuch proteſtant children, according to the value of the eſtate real or perſonal of ſuch parents at the time of ſuch new bills preferred.

Vexatious bills.

LXXV. *ſect.* 5. Provided, that if it ſhall appear to the ſaid court that ſuch new bills are groundleſs and vexatious, that the ſaid court ſhall diſmiſs the ſame, and award full coſts to the defendant.

Settlements by papiſts.

LXXVI. *ſect.* 6. All ſettlements, fines, common recoveries and other conveyances made ſince the firſt of January 1703, of any lands, &c. by papiſts, or by any proteſtant who turned papiſt at any time ſince the ſaid day, or by any ſuch papiſt with his then proteſtant wife who hath turned papiſt as aforeſaid, whereby any proteſtants are barred of any eſtate in reverſion or remainder, whereunto ſuch proteſtants were intitled at the time of levying ſuch fines, or ſuffering ſuch recoveries, or making ſuch conveyances, ſhall, as to ſuch proteſtants, be void.

Saving to proteſtants.

(2) And ſuch proteſtants ſhall become intitled unto and ſeized of ſuch lands, &c. according to ſuch eſtate as they had in ſuch lands, &c. at the time of perfecting ſuch conveyances, or levying ſuch fines, and ſuffering ſuch recoveries.

Eſtates for valuable conſideration.

LXXVII. *ſect.* 7. Nothing herein contained ſhall impeach or avoid any purchaſe or mortgage, eſtate or incumbrance really and *bona fide* made for full and valuable conſideration to any proteſtants, ſubject nevertheleſs to all ſuch debts and real incumbrances at the time of the deceaſe of ſuch papiſt charging ſuch eſtate, as the ſame would have been ſubject to upon the deſcent thereof, according to the intent of the act 2 *Ann. cap.* 6. and this preſent act.

Equity of redemption.

LXXVIII. *ſect.* 8. Provided, that every ſuch proteſtant in remainder or reverſion as aforeſaid, ſhall have the right or equity of redemption of all ſuch mortgages or incumbrances.

Commencement of the gavelling clauſe.

LXXIX. *ſect.* 9. The clauſe or part of the ſaid act, *commonly called the gavelling clauſe*, ſhall be adjudged to take effect from the firſt day of that ſeſſion of parliament; and all ſettlements, bargains and ſales, releaſes, feoffments, and other conveyances, and all fines and recoveries executed, levied or ſuffered by any papiſt of any lands, &c. ſince the firſt day of that ſeſſion of parliament to elude the ſaid act, or which may hinder ſuch lands from deſcending in gavel-kind, or to the eldeſt ſon

of

of any papiſt turning proteſtant, according to the intent of the ſaid act, *ſhall* be void.

LXXX. *ſect.* 10. Nothing herein contained ſhall extend to any lands, &c. aliened, diſpoſed of, or ſettled after the twenty-firſt of September one thouſand ſeven hundred and three, and before the twenty-fifth of March one thouſand ſeven hundred and four, for valuable conſiderations of marriage or of money *bona fide* paid, or to ſuch reaſonable maintenances and portions for daughters and younger children, as ſuch lands, &c. were or ſhall be charged with according to the ſaid act, but ſuch ſales, diſpoſitions, or ſettlements, ſhall remain of force for the benefit of the ſeveral purchaſers of ſuch lands, &c. and of the perſons parties to the ſaid marriage or marriage articles, and of ſuch woman as ſhall have any jointure ſettled on her in conſideration of ſuch marriage, and of the iſſue of ſuch marriage, according to the ſcope of ſuch marriage ſettlement. Precedent incumberances.

LXXXI. *ſect.* 11. No perſons who have turned or ſhall turn from the popiſh to the proteſtant religion as by law eſtabliſhed, ſhall be deemed to be a proteſtant within the intention of this act or the former act, or ſhall take benefit thereby, notwithſtanding ſuch perſon ſo profeſſing himſelf a proteſtant, ſhall purſuant to this or the ſaid former act, *to prevent the further growth of popery*, procure the certificate of the biſhop of the dioceſe, as is hereby or by the ſaid former act directed, unleſs ſuch perſons ſhall within the ſpace of ſix months after ſuch perſons declaring themſelves proteſtants, or within ſix months after ſuch perſons ſhall attain the age of eighteen years, receive the ſacrament of the Lord's ſupper according to the uſage of the church of Ireland, and make and ſubſcribe the declaration purſuant to an act intituled, *An act to prevent the further growth of popery*, and ſhall alſo take the oath of abjuration, and ſhall file in the high court of chancery, or ſome other of her Majeſty's four-courts at Dublin, certificates thereof, in like manner as the biſhop's certificate is to be filed, for which certificate no greater fee ſhall be taken than ſixpence. Receiving the ſacrament. Subſcribing the declaration, &c.

LXXXII. *ſect.* 12. Every perſon that ſhall be converted from the popiſh to the proteſtant religion, and conform to the church of Ireland as by law eſtabliſhed, and ſhall hold any employment or place of profit or truſt by virtue of any commiſſion, grant, or authority from her Majeſty, &c. or be a member of either houſe of parliament, or practiſe as barriſter at law, attorney or ſollicitor, or officiate as officer in any of her Majeſty's courts of law, or any other court, ſhall cauſe all his children under the age of fourteen years at the time of the converſion of ſuch parent, to be educated in the proteſtant religion as by law eſtabliſhed. Children to be educated proteſtants.

(2) And for default thereof, ſuch employment, office or place of profit or truſt is hereby declared void, and ſuch member of parliament ſhall be incapable to ſit or vote in either houſe of parliament, and the party offending for ever incapable to hold any employment, office, or place of profit or truſt under her Majeſty, &c. and every ſuch barriſter, attorney, ſolicitor and officer, ſhall be incapable of practiſing as barriſter, attorney, or ſolicitor, privately or publickly, or officiating in any of the courts aforeſaid. Incapacities for default.

LXXXIII. *ſect.* 13. Nothing herein contained ſhall extend to the office of high conſtable, petty conſtable, tithingman, headborough, overſeer of the poor, churchwardens, ſurveyors of the highways, or any like inferior civil office. Inferior civil offices.

LXXXIV. *ſect.* 14. If any woman who was a papiſt at the time of her marriage with a popiſh huſband, who hath any power reſerved to him on any ſettlement making him tenant for life, to limit or appoint any jointure on ſuch wife, and yet ſhall not execute ſuch power in his life-time, if ſuch woman ſhall become a proteſtant, and inrol a certificate thereof from the biſhop of the dioceſe, and alſo re- Proviſion for the wives of papiſts, conforming.

ceive the ſacrament according to the uſage of the church of Ireland as by law eſtabliſhed, if ſuch woman ſurvive her ſaid popiſh huſband, ſhe ſhall have ſuch proviſion as the lord chancellor or lord keeper or commiſſioners of the great ſeal, upon a bill grounded upon this act, ſhall think fit to adjudge, not exceeding the power reſerved in ſuch ſettlement.

Widows of papiſts, conforming.

LXXXV. *ſect.* 15. Such popiſh wives of ſuch popiſh huſbands who ſhall become proteſtants in the life of ſuch popiſh huſbands, ſhall have ſuch proportion, not being otherwiſe provided for by any agreement before marriage, or by reaſon of dower or jointure, or other eſtate, charge, or intereſt out of the freehold and inheritance of ſuch husband, before or after ſuch marriage, of the chattels real and perſonal of their popiſh husbands whereof they ſhall die poſſeſſed or intitled unto as the court of chancery ſhall on a bill to be preferred by ſuch widows, grounded on this act, think reaſonable, not exceeding one third part after debts and funeral charges, notwithſtanding any will or voluntary alienation or diſpoſition to be made by any ſuch popiſh husbands to the contrary, and notwithſtanding an act made in the ſeventh year of King William the third, *for the better ſettling inteſtates eſtates.*

Papiſts teaching ſchool.

LXXXVI. *ſect.* 16. Whatſoever perſon of the popiſh religion ſhall publickly teach ſchool, or ſhall inſtruct youth in learning in any private houſe, or ſhall be entertained to inſtruct youth as uſher, under-maſter or aſſiſtant, by any proteſtant ſchoolmaſter, he ſhall be eſteemed to be a popiſh regular clergyman, and be proſecuted as ſuch, and incur ſuch penalties and forfeitures as any popiſh regular convict is liable unto by the laws.

School-maſters to take the oaths

(2) And no perſon ſhall be qualified to keep ſchool publickly, or teach and inſtruct youth in any private houſe, or as uſher or aſſiſtant to any proteſtant ſchoolmaſter, who ſhall not firſt, or at the next general aſſiſes or quarter-ſeſſions for the county where ſuch perſon ſhall reſide after ſuch perſon is ſo entertained, take the oath of allegiance, and make and ſubſcribe the declaration, and take and ſubſcribe the oath of abjuration as in the act 2 *Ann. cap.* 6. againſt *the further growth of popery* is directed.

Penalties

(3) And if any perſon ſhall offend herein, he ſhall forfeit ten pounds for every ſuch offence; and if any perſon ſhall entertain any one not qualified as aforeſaid as tutor, under-maſter, uſher, or aſſiſtant, he ſhall forfeit ten pounds for every ſuch offence, the one moiety of which forfeitures ſhall go to the informer, the other moiety, the expence of the proſecution being firſt deducted, to the uſe of the poor of the pariſh where ſuch offence ſhall be committed, to be recovered in a ſummary way by civil bill before the judges of aſſiſe, and for the county and county of the city of Dublin, ſuch forfeitures to be recovered before the juſtices of the peace at their quarter-ſeſſions.

Acts made perpetual.

LXXXVII. *ſect.* 17. The act 2 *Ann. cap.* 3. *to prevent popiſh prieſts coming into this kingdom*, and alſo the act 4 *Ann. cap.* 2 *to explain and amend an act for regiſtring the popiſh clergy*, are hereby made perpetual.

Convert prieſts.

LXXXVIII. *ſect.* 18. All popiſh prieſts, who ſhall become proteſtants, and ſhall be approved of as converts, and received into the church by the biſhop of the dioceſe wherein they reſided, and conforming themſelves to the church of Ireland as by law eſtabliſhed, and having taken the oaths and ſubſcribed the declaration, in ſuch manner as the conformable clergy are obliged to do, at any quarter-ſeſſions, ſhall have thirty pounds ſterling yearly (and no more, by virtue of this act, or any former act) during their reſidence in ſuch county, for their maintenance, and until they are provided for by ſome eccleſiaſtical benefice or curacy of the like or greater

Proviſion of thirty pounds a year.

greater value; ſubject nevertheleſs to ſuſpenſion or deprivation of the biſhop of the dioceſe wherein they ſhall reſide, in like manner as any of the inferior clergy are;

(2) The ſaid ſum of thirty pounds to be levied on the inhabitants of ſuch county or counties of cities or towns where ſuch converted prieſts did laſt reſide, in like manner as money is levied that is charged by grand-juries upon the ſaid counties, and to be paid them, one moiety at the feaſt of the Annunciation, and the other at the feaſt of St. Michael. To be levied as other publick money.

(3) And ſuch converts are required, under penalty of forfeiting their allowance, publickly to read the common-prayer or liturgy of the church of Ireland, and preach once a week in the Engliſh or Iriſh tongue, in ſuch places and at ſuch times as the biſhops ſhall direct. To read the common prayer.

This clauſe is revived and continued by Stat. 31 *Geo.* 2. *cap.* 9. *ſect.* 1. *for eleven years, and to the end of the then next ſeſſion of parliament.*

LXXXIX. *ſect.* 19. No popiſh pariſh prieſt ſhall have any popiſh curate, aſſiſtant or coadjutor, and every popiſh pariſh prieſt that ſhall keep any ſuch popiſh curate, aſſiſtant or coadjutor, ſhall loſe the benefit of having been regiſtred, and ſhall incur all the penalties of a popiſh regular, and ſhall be proſecuted as ſuch, and every ſuch popiſh curate, aſſiſtant or coadjutor, ſhall be deemed a popiſh regular, and ſhall be proſecuted accordingly. Popiſh curates aſſiſtant.

XC. *ſect.* 20. If any perſon ſhall diſcover any biſhop, vicar-general, dean, jeſuit, monk, friar, or any other regular popiſh clergyman, or any papiſt exerciſing any eccleſiaſtical juriſdiction, or any ſecular popiſh clergyman who hath not been legally regiſtred, or any popiſh ſchoolmaſter, or any papiſt teaching or inſtructing youth in private houſes as tutor or as uſher, under-maſter or aſſiſtant to any proteſtant ſchoolmaſter, ſo as the ſaid regular or ſecular clergyman or popiſh ſchoolmaſter, tutor or uſher, under-maſter or aſſiſtant to any proteſtant ſchoolmaſter, be apprehended and convicted, every perſon making ſuch diſcovery ſhall receive as a reward for the ſame the ſeveral ſums following, that is to ſay, fifty pounds for every archbiſhop, biſhop, vicar-general, or other perſon exerciſing any foreign eccleſiaſtical juriſdiction in this kingdom, and twenty pounds for each regular clergyman, and each ſecular clergyman not regiſtred purſuant to the ſaid former act, and ten pounds for each popiſh ſchoolmaſter, tutor, uſher, under-maſter, or aſſiſtant, to be levied on the popiſh inhabitants of the county or county of the city or town where ſuch regular or ſecular popiſh clergyman did reſpectively exerciſe ſuch foreign juriſdiction, or officiate as a popiſh prieſt, and where ſuch popiſh ſchoolmaſter, tutor, uſher, under-maſter or aſſiſtant, taught or inſtructed youth, or did moſt commonly reſide, and ſhall be convicted thereof as aforeſaid, to be levied in ſuch manner, and on ſuch perſons, as money for robberies by a late act *againſt tories, robbers, and rapparees*, is to be levied, where the robbery or burglary is preſented by the grand jury to be committed by papiſts only, and to be levied in the county and county of the city of Dublin, in ſuch manner, and on ſuch popiſh perſons, as other public money is levied at the general quarter-ſeſſions. Diſcovering popiſh biſhops, &c.

XCI. *ſect.* 21. It ſhall be lawful for any two juſtices of the peace, whereof one to be of the *quorum*, by warrants directed to any conſtable, to ſummons any popiſh perſon of the age of ſixteen years or upwards, to appear before ſuch juſtices at a certain time and place in the warrants to be expreſſed, within three days after the date of the ſaid warrants, ſo that the ſaid place of appearance be not above five miles from the habitation of the ſaid perſon; and if the perſon ſo ſummoned ſhall neglect to appear accordingly, or appearing, ſhall refuſe to give his teſtimony upon oath Summoning perſons to diſcover hearing maſs, &c.

oath where and when he heard, or was preſent at the celebration of the popiſh maſs, as the ſame is uſed in the church of Rome, and who celebrated the ſame, and who were preſent at the celebration thereof, and likewiſe touching the reſidence and abode of any popiſh regular clergyman, or any ſuch popiſh ſecular prieſt as aforeſaid, or of any popiſh ſchoolmaſter, tutor, uſher, under-maſter, or aſſiſtant to any proteſtant ſchool-maſter, who may be diſguiſed, concealed, or itinerant in the country, and alſo fully anſwer to all ſuch circumſtances and things touching ſuch popiſh perſons offending contrary to this and the former act *to prevent the further growth of popery*.

Penalty for refuſing to appear, &c.

(2) Such perſons ſo refuſing or neglecting to appear or to anſwer, ſhall be committed by the ſaid juſtices to the common gaol for twelve months, unleſs he or ſhe ſhall pay down a ſum not exceeding twenty pounds, to be paid to the miniſter, church-wardens, and overſeers of the poor of the pariſh where ſuch offender ſhall reſide, for the uſe of the poor of the ſaid pariſh, who are to be accountable for all ſuch monies, in ſuch manner as any other monies received for the uſe of the ſaid pariſh.

Limitation for examinations.

XCII. *ſect.* 22 Provided that every examination to be given in purſuance of this act, ſhall be for ſuch of the ſaid offences only as were committed within thirty days before ſuch examination, and that no ſuch examination ſhall ſubject the party examined to any proſecution, penalty, or forfeiture, or be admitted to be given in evidence againſt the perſon ſo examined, unleſs ſuch perſon ſhall be indicted for having committed wilful perjury in ſuch examination, and the perſon ſo examined and confeſſing is diſcharged from any proſecution, or penalties, or forfeitures by him incurred by reaſon of any offence ſo confeſſed as aforeſaid, and not otherwiſe.

Regiſtered prieſts to take oaths.

XCIII. *ſect.* 23. All popiſh prieſts who have been regiſtred in purſuance of the ſaid former act *for regiſtring the popiſh clergy*, ſhall take the oath of abjuration before the twenty-fifth day of March one thouſand ſeven hundred and ten, in one of the four courts at Dublin, or at ſome quarter-ſeſſions where ſuch popiſh prieſts have been regiſtred, and upon neglect or refuſal, and after the ſaid twenty fifth day of March celebrating maſs, or officiating as a popiſh prieſt, ſuch popiſh prieſt ſhall incur ſuch penalties and forfeitures as a popiſh regular clergyman convict by the laws of this realm is liable unto.

Warrant to ſummon to take oath, &c.

XCIV. *ſect.* 24. It ſhall be lawful for any two juſtices of the peace, by warrant under their hands and ſeals, directed to any ſheriff, conſtable, or other officer, to ſummon any man of the age of ſixteen years or upwards, to appear before ſuch juſtices, and take and ſubſcribe the oath of abjuration.

Penalty for refuſal.

(2) And if the perſon ſo ſummoned ſhall neglect or refuſe to appear, not having ſome lawful impediment, or appearing, ſhall refuſe to take and ſubſcribe the ſaid oath, being tendered to him by the ſaid juſtices, it ſhall be lawful for ſuch juſtices to commit ſuch perſon to the common gaol or houſe of correction for three months, or until he ſhall take the ſaid oath, unleſs the ſaid offender ſhall pay down to the juſtices a ſum not exceeding forty ſhillings, as the ſaid juſtices ſhall require, which money ſhall be paid to the church-wardens or overſeers of the poor of ſuch pariſh or place where ſuch offender ſhall reſide, and ſhall be for ever incapable of obtaining or having any licence to carry or keep any arms, and ſuch licence, if obtained, is declared to be void.

Second refuſal.

(3) And after three months after ſuch default or refuſal, it ſhall be lawful for two juſtices to direct their warrants as aforeſaid to ſummon ſuch offender to appear before them, to take and ſubſcribe the ſaid oath, and if the ſaid offender ſhall neglect or refuſe to appear accordingly, or ſhall appear, and upon tender of the ſaid oath

refuſe

refuſe to take and ſubſcribe the ſame, it ſhall be lawful for the ſaid juſtices to commit the ſaid offender to gaol for ſix months, unleſs the ſaid offender ſhall pay down a ſum not exceeding ten pounds, nor under five pounds, as the ſaid juſtices ſhall require, to be diſpoſed of to the relief of the poor as aforeſaid, and the offender to be bound with two ſufficient ſureties with condition to appear at the next aſſiſes or gaol-delivery for the county wherein ſuch offender ſhall reſide, or at the general quarter-ſeſſions of the peace in the county and county of the city of Dublin, if he ſhall be an inhabitant of the ſaid county or county of the ſaid city, and in the mean time to be of the good behaviour.

(4) At which aſſizes or quarter-ſeſſions the ſaid oath ſhall be tendered to the ſaid offender by the juſtices of aſſize in their open aſſizes, or by the juſtices at their general quarter-ſeſſions in the ſaid county and county of the city of Dublin, and if the offender ſhall refuſe to take and ſubſcribe the ſaid oath, he ſhall incur the penalties of *premunire* expreſt in the ſtatute made in the ſixteenth year of Richard the ſecond. Premunire.

XCV. *ſect.* 25. Provided that proteſtant diſſenters called quakers, who ſcruple the taking any oath, producing a certificate under the hands and ſeals of ſix or more credible men of their ſociety, owning him to be one of them, and two of the ſubſcribers appearing with the perſon, for whom they certifie, before any juſtice or magiſtrate who ſhall require the ſame, and he making and ſubſcribing the declaration (*See Tit.* **Oaths**.) ſhall be exempted from the ſeveral fines and penalties mentioned in this ſaid act. Proviſion for quakers.

Note, the declaration againſt tranſubſtantiation and the abjuration, are both required to be taken by this clauſe.

XCVI. *ſect.* 26. No popiſh prieſt ſhall officiate or exerciſe the function of a popiſh prieſt in any pariſh but in the pariſh where the ſaid popiſh prieſt did officiate at the time of the regiſtring the popiſh clergy of this kingdom, and for which pariſh alſo he was regiſtred, and in no other pariſh whatſoever, under the pains, penalties, and forfeitures as any popiſh regular convict is liable unto by the laws. Reſtraint of popiſh prieſts.

XCVII. *ſect.* 28. All collateral and other ſecurities by mortgages, judgments, ſtatutes merchant or of the ſtaple, or otherwiſe howſoever, which have been or ſhall be made or entered into, to cover, ſupport, ſecure, or make good any bargain, ſale, confirmation, releaſe, feoffment, leaſe, or other conveyance, contrary to the act 2 *Ann. cap.* 6. ſhall be void to ſuch perſons ſo purchaſing any of the ſaid lands or tenements in truſt for or for the benefit of any papiſt, or perſon profeſſing the popiſh religion, as likewiſe to any ſuch papiſt or perſon, their heirs and aſſigns reſpectively; and all ſuch lands, &c. ſo to be conveyed or leaſed to any papiſt, or perſon profeſſing the popiſh religion, or to the uſe of or in truſt for any papiſt, or perſon profeſſing the popiſh religion, contrary to the intent of the ſaid act. Collateral ſecurities void.

(2) And all ſuch collateral ſecurities as are or ſhall be made or entered into, to cover, ſupport, ſecure, or make good, the ſame may be ſued for by any proteſtant, by their proper action, real, perſonal, or mixt founded on this act, in any of her Majeſty's courts of law, or in any court of equity, if the nature of the caſe ſhall require it, and the plaintiff or demandant in ſuch ſuit, upon proof that ſuch purchaſe or leaſe was made in truſt for any papiſt, or perſon profeſſing the popiſh religion, or under any confidence for any papiſt, or ſuch perſon profeſſing the popiſh religion, or for their benefit, ſhall obtain a verdict and judgment, or a decree thereupon, and ſhall recover the ſame, and have execution to be put into the ſeiſin Bills of diſcovery.

ſeiſin and poſſeſſion thereof, to hold and enjoy ſuch lands, &c. according to the eſtate, uſe, truſt, intereſt, or confidence which ſuch papiſt, or perſon profeſſing the popiſh religion, ſhould have had therein had they been qualified to purchaſe, hold, or enjoy the ſame.

Subject to rents, &c.

(3) Subject nevertheleſs to all ſuch rents, covenants and conditions, reſervations, and all incumbrances, and portions whatſoever, as the ſame would have been ſubject to in the hands of ſuch papiſt, or in the hands of ſuch perſon to whom the ſame were ſold or leaſed, in truſt for ſuch papiſt or perſon profeſſing the popiſh religion, or to their uſe or behoof, and ſhall alſo have the full benefit of all ſuch collateral ſecurities as the parties to whom the ſame are or ſhall be made, might have had if this or the ſaid former act *to prevent the further growth of popery* had not been made.

Saving to perſons becoming proteſtants.

XCVIII. *ſect.* 29. Provided that every papiſt and perſon profeſſing the popiſh religion, who have in their own names, or in the name of any other perſons, or any in truſt for them, purchaſed any lands in fee-ſimple, or any leaſes for years or lives, or other eſtate or intereſt, other than ſuch lands, &c. as were once veſted in the late truſtees for the ſale of forfeited eſtates in Ireland, in poſſeſſion, reverſion, or remainder, and which were afterwards diveſted out of them the ſaid truſtees, and veſted in other perſons by any private act of parliament in England or Great-Britain, or who have lent any money on mortgages, or purchaſed in any mortgages in the name of any perſons in truſt for them, other than mortgages of ſuch lands, &c. as were once veſted in the late truſtees for the ſale of forfeited eſtates in Ireland, in poſſeſſion, reverſion, or remainder, and which were afterwards diveſted out of the ſaid truſtees and veſted in other perſons by any private act of parliament in England or Great-Britain, and have or ſhall on or before the twenty-fifth day of December, 1709, become a proteſtant, and inrol a certificate of the biſhop of the dioceſe, in which they reſpectively reſide in the chancery in Ireland, teſtifying their being proteſtants, and conforming themſelves to the church of Ireland as by law eſtabliſhed, and ſhall alſo receive the ſacrament of the Lord's ſupper according to the uſage of the ſaid church, and make and ſubſcribe the declaration, and ſhall alſo take and ſubſcribe the oath of abjuration in ſuch manner as is mentioned and expreſſed in the ſaid act *to prevent the further growth of popery*, and ſhall cauſe their children under the age of fourteen years from the time of ſuch their converſion, to be educated in the proteſtant religion as by law eſtabliſhed, the purchaſes, mortgages, confirmations, and leaſes, and all other covenants made to or by any ſuch papiſt, or perſon profeſſing the popiſh religion, or by or to any in truſt for them, or to their uſe, other than as before excepted, ſhall be as good as if they had been proteſtants at the time of ſuch purchaſe, &c. ſo acquired and made, and not otherwiſe, to hold and enjoy ſuch lands, &c. for ſuch eſtate as they might have had if then proteſtants.

Proteſtant purchaſers.

XCIX. *ſect.* 30. Nothing herein or in any former act paſt in this kingdom contained, ſhall extend to weaken any eſtate or intereſt of any proteſtant purchaſer, for valuable conſideration *bona fide* from any perſon who had purchaſed in truſt for any papiſt, or from any proteſtant deriving under ſuch purchaſer not having notice of ſuch truſt.

Bills of diſcovery.

C. *ſect.* 31. It ſhall be lawful for any proteſtants to prefer bills in her Majeſty's court of chancery or chancery of the exchequer, againſt any perſons concerned in ſuch ſale, leaſe, mortgage, or incumbrance, and againſt all perſons privy to ſuch truſt or confidence for papiſts, or perſons profeſſing the popiſh religion as aforeſaid, and to compel ſuch perſons to diſcover and detect ſuch truſts and confidences, and to anſwer to all matters and circumſtances relating thereunto, as by ſuch bills

ſhall

ſhall be required, to which bills no plea or demurrer ſhall be allowed, but the defendant ſhall anſwer the ſame at large upon oath, which anſwer ſhall be good evidence againſt the defendant in actions to be brought upon this act, as in ſuch caſes are uſual.

(2) And all iſſues to be tried in any action or ſuit founded upon this act, ſhall be tried by none but known proteſtants. Trial of iſſues.

CI. *ſect* 32. Every popiſh biſhop, vicar-general, dean, jeſuit, friar, and papiſt, exerciſing eccleſiaſtical juriſdiction, and every popiſh prieſt, popiſh ſchoolmaſter, and papiſts, who by offending againſt this or any former act, ſhall be liable to tranſportation, ſhall within three months be tranſmitted by order of the juſtices of aſſiſe, or by order of the juſtices of the peace in their general quarter-ſeſſions of the peace, to the common gaol of the next ſeaport town, where they ſhall remain until tranſported. Convicts for tranſportation.

CII. *ſect.* 33. It ſhall be lawful for all maſters of ſhips, merchants, and others, to receive the body of ſuch popiſh regular clergyman, ſuch popiſh prieſt, and popiſh ſchool maſter, who may remain in gaol to be tranſported, and to tranſport the ſaid perſons beyond the ſeas out of her Majeſty's dominions of Great-Britain and Ireland. Receiving tranſports.

(2) And if any merchant freighting any ſhip outward bound, for any place or port not within the kingdoms of Great-Britain or Ireland, ſhall refuſe to receive the bodies of ſuch popiſh regular clergymen, or popiſh prieſt, or popiſh ſchoolmaſter, not exceeding five in any one ſhip, when required ſo to do by the chief magiſtrate or his deputy, of ſuch place or port where any ſuch popiſh perſon ſhall remain in gaol, the collectors and other officers of her Majeſty's cuſtoms, are required not to diſcharge ſuch ſhip until ſuch merchant ſo freighting the ſame, or ſuch maſter of a ſhip ſhall conſent ſo to do, on pain that ſuch collector ſo diſcharging ſuch ſhip, ſhall forfeit to her Majeſty thirty pounds. Penalty on maſters of ſhips refuſing.

CIII. *ſect.* 34. It ſhall be lawful for the ſaid collector of ſuch port or place to pay, and they are required to pay to the ſaid merchant or maſter of a ſhip five pounds, for the tranſportation of every ſuch perſon to any part of the Weſt-Indies not being ſubject to her Majeſty, and three pounds for the tranſportation of every ſuch perſon to any place or port in Europe, not being within her Majeſty's dominions. Collectors to pay for tranſports.

(2) The ſame to be allowed the ſaid collector on his accounts on producing a receipt of the ſaid merchant or maſter of a ſhip, acknowledging a receipt of the ſaid ſums, and alſo a receipt acknowledging that he hath received the body of ſuch popiſh regular clergyman, popiſh prieſt, or popiſh ſchool maſter, in which receipt ſhall be expreſt the name of ſuch perſon ſo to be tranſported, and the place where the ſaid perſon did laſt reſide, and the time the ſaid perſon hath remained in gaol, and from what county gaol he hath been tranſmitted to the ſaid port or place. Receipt from the maſter of the ſhip.

(3) Which receipts ſhall be teſtified by the chief magiſtrate or his deputy of ſuch port or place, and which receipt herein laſt mentioned ſhall be inrolled in the crown office of her Majeſty's court of chief place in Dublin without fee, there to remain of record. Receipts to be teſtified, &c.

CIV. *ſect.* 35. If any ſuch popiſh regular clergyman, popiſh prieſt, or popiſh ſchoolmaſter, ſhall be found in this kingdom out of the cuſtody of the ſaid merchant or maſter of a ſhip ſo receiving the ſaid perſon, he ſhall be deemed to be, and ſhall ſuffer ſuch penalties and forfeitures as are inflicted on any popiſh regular clergyman who hath been baniſhed and returned again into this kingdom. Prieſts, &c. found at large.

(2) And

Recognizance to tranſport.

(2) And the ſaid merchant or maſter of a ſhip ſhall at the time of receiving the ſaid ſums from the collector, and receiving the body of ſuch popiſh regular clergyman, popiſh prieſt, or popiſh ſchoolmaſter, enter into a recognizance to her Majeſty, &c. in the penalty of fifty pounds, to tranſport the ſaid popiſh perſon into ſome place not within this kingdom, or the kingdom of Great-Britain, or the dominions thereunto belonging, which recognizance ſhall be entered into by the ſaid merchant or maſter of a ſhip, at the time of the receipt of the reſpective ſums of five pounds and three pounds, before the chief magiſtrate of the ſaid place.

Returning recognizance.

(3) And the collector by whom the ſaid ſum ſhall be paid, ſhall produce and deliver the ſaid recognizance to the commiſſioners of her Majeſty's revenue, when he ſhall account for the payment of the ſaid ſum, which recognizance ſhall by the ſaid commiſſioners be returned into the crown-office of her Majeſty's chief place at Dublin, for which no fee ſhall be paid.

Stud-mares may be kept.

CV. *ſect.* 36. No ſtud-mare kept for breeding only, nor ſtallion kept as ſuch and for no other uſe, ſhall be deemed to be within the intention of the act, 7 *Will.* 3. *cap.* 5. *for the better ſecuring the government by diſarming papiſts*, but every papiſt and reputed papiſt, may keep ſuch ſtud-mares and ſtallions, and the breed and produce thereof, under the age of five years, and not otherwiſe.

In caſe of invaſion.

(2) Nothing in this act ſhall extend to the hindering the lord lieutenant or other chief governors of this kingdom from ſeizing and ſecuring any horſe belonging to any papiſt or reputed papiſt, upon any invaſion likely to happen, or in any caſe of inteſtine war broke out, or likely to break out.

Payment for keeping.

CVI. *ſect.* 37. In caſe the lord lieutenant or chief governors ſhall order any horſe or mare ſo ſeized, to be delivered back to the owner, it ſhall be lawful for every perſon having or keeping ſuch horſe or mare in his cuſtody by virtue of the authority aforeſaid, to keep or detain the ſame, until the owner or perſon from whom the ſame was taken, ſhall pay ſixpence for every night the ſaid perſon did keep any ſuch horſe or mare, by virtue of the authority aforeſaid.

Number of apprentices.

CVII. *ſect.* 38. No papiſts who ſhall be permitted to follow any trade, ſhall hereafter take or keep more than two apprentices at a time in any ſuch trade, except the hempen or flaxen manufacture, and that for no leſs a term of apprenticeſhip than ſeven years, and whatever papiſt ſhall offend therein, ſhall forfeit one hundred pounds for every ſuch offence, to be recovered by ſuch perſon who ſhall ſue for the ſame, in ſuch manner as the ſeveral forfeitures exceeding the ſum of ten pounds herein before mentioned, are to be recovered.

Children bred proteſtants.

CVIII. *Stat.* 6 *Geo.* 1. *cap.* 6. *ſect.* 17. Children of popiſh parents, who from the age of twelve years have been conſtantly bred up in the proteſtant religion, and have received the ſacrament of the Lord's ſupper in the church of Ireland as by law eſtabliſhed, ſhall be reputed as proteſtants, and enjoy all the rights and privileges of proteſtants.

Relapſing to popery.

CIX. *ſect.* 18. Provided that if ſuch children ſhall at any time after they come to the age of eighteen years, declare themſelves of the communion of the church of Rome, or be preſent at *Mattins* or *Veſpers* according to the practice of the church of Rome, they ſhall be ſubject to all ſuch penalties as converted papiſts relapſing to popery are by law liable to.

Barriſters, &c. to take the oaths.

CX. *Stat.* 1 *Geo.* 2. *cap.* 20. *ſect.* 1. Every perſon who ſhall apply to be called to the bar, or to be admitted a ſix clerk or attorney, or ſhall take upon him to practice as a ſolicitor, or to act as an officer, or deputy officer in any of his Majeſty's courts of law or equity, ſhall before ſuch application or taking

on

on them to practiſe or act as aforeſaid, take and ſubſcribe the ſeveral oaths, and repeat and ſubſcribe the declaration appointed by an act 2 *Ann. to prevent the further growth of popery.*

(2) And every perſon converted from the popiſh to the proteſtant religion, or born of a popiſh parent or parents, who ſhall apply to be called to the bar, or to be admitted a ſix clerk or attorney, or ſhall take upon him to practiſe as a ſolicitor, or to act as an officer or deputy officer as aforeſaid, ſhall upon ſuch application, or before taking on him to act or practiſe as aforeſaid, prove before the lord chancellor or the commiſſioners of the great ſeal, the two chief juſtices, the chief baron, the juſtices of the one bench and the other, and the barons of *the* exchequer in Ireland, or any two of them, of which the lord chancellor, or one of the commiſſioners of the great ſeal, or one of the ſaid chief juſtices, or the chief baron ſhall be one, by *a* ſufficient witneſs upon oath, that ſuch perſon has profeſſed himſelf, and continued to be a proteſtant for the ſpace of two years immediately before the time of making ſuch proof. Proof before admittance.

CXI. *ſect.* 2. Every perſon who ſhall be called to the bar, or admitted a ſix clerk or attorney, or who ſhall practiſe as a ſolicitor, or ſhall act as an officer or deputy officer as aforeſaid, who ſhall be converted from the popiſh to the proteſtant religion, ſhall educate in the proteſtant religion according to the church of Ireland as by law eſtabliſhed, all their children, who at the time of their admiſſion, practiſing, or officiating reſpectively as aforeſaid, ſhall be under the age of fourteen years, or ſhall be born after ſuch time. Children to be educated proteſtants.

(2) And all perſons who ſhall be converted from the popiſh to the proteſtant religion, ſhall in like manner educate all their children who at the time of their converſion, ſhall be under the age of fourteen years, or ſhall be born after. Children of converts.

CXII. *ſect.* 3. If any perſons who ſhall be converted from the popiſh to the proteſtant religion, ſhall after the time of their converſion, educate or permit their children to be educated in the popiſh religion, every ſuch perſon offending herein, ſhall be liable to all ſuch diſabilities as perſons profeſſing the popiſh religion are liable unto by law. Diſabilities.

CXIII. *ſect.* 4. Provided no perſon ſhall be capable of acting as a ſub-ſheriff or ſheriff's clerk, who ſhall not have been a proteſtant for five years immediately before ſuch his acting; and all perſons offending herein, ſhall be ſubject to ſuch diſabilities as perſons profeſſing the popiſh religion are ſubject unto by law, nothing herein contained ſhall extend to any ſolicitor who has heretofore been allowed to be comprehended within the articles of Limerick or Galway. Sub-ſheriffs, &c.

CXIV. *ſect.* 5. If any proteſtant, or perſon profeſſing himſelf to be a proteſtant, ſhall educate or permit his children or any of them, not already a papiſt and above the age of fourteen years, to be educated in the popiſh religion, ſuch proteſtant or perſon profeſſing himſelf to be a proteſtant, ſhall from thenceforth be ſubject to ſuch diſabilities, as perſons profeſſing the popiſh religion are by law made ſubject to. Educating children papiſts.

CXV. *Stat. 7 Geo. 2. cap. 6.* No perſon who is or ſhall be converted from the popiſh to the proteſtant religion, ſhall be capable of being or acting as a juſtice of the peace, whoſe wife is or ſhall be a papiſt, or who doth educate or cauſe to be educated in the popiſh religion any of his children, who ſhall be under the age of ſixteen years Popiſh wives of juſtices.

(2) And if any perſon who is or ſhall be converted from the popiſh to the proteſtant religion, ſhall act as a juſtice of the peace, whoſe wife is or ſhall be a papiſt, Penalty for acting as juſtices.

or who doth educate or cauſe to be educated in the popiſh religion any of his children, who ſhall be under the age of ſixteen years, ſuch perſon ſhall upon conviction thereof ſuffer one year's impriſonment, and forfeit one hundred pounds, to be recovered by bill, plaint, or information in any of his Majeſty's courts of record; one moiety of which forfeiture is to be to the uſe of his Majeſty, and the other moiety to them who ſhall ſue for the ſame; and from thenceforward, ſuch perſon ſo convicted ſhall be for ever incapable of being an executor, adminiſtrator, or guardian.

Papiſts to deliver up arms.

CXVI. *Stat.* 13 *Geo.* 2. *cap.* 6. *ſect.* 1. All juſtices of the peace, magiſtrates, and chief officers of cities and towns corporate, ſhall exerciſe all the powers in the act 7 *Will.* 3. *cap.* 5. in ſuch manner as is therein directed, and all papiſts ſhall diſcover and deliver up to ſome juſtice of the peace, or to the magiſtrate or chief officer of the county, city, town-corporate, or place where ſuch papiſt or other perſons *mentioned in the ſaid act* ſhall reſpectively reſide, all arms, armour, and ammunition which are in their poſſeſſion or power, or in the cuſtody of any perſons to their uſe, or in truſt for them, or at their diſpoſition, notwithſtanding any licence for keeping the ſame heretofore granted; and all ſuch perſons as are by this or any other law, declared or are to be deemed to be papiſts to any purpoſe whatſoever, ſhall before the firſt day of July, 1740, deliver up in like manner all ſuch arms, armour, and ammunition, as ſhall be in their poſſeſſion, power, or diſpoſal.

Fourteen days limited.

(2) And all papiſts and ſuch other perſons as aforeſaid, ſhall for ever thereafter, within the ſpace of fourteen days after they ſhall knowingly get or have any arms, armour, or ammunition, diſcover and deliver up to ſome juſtice of the peace, or to the magiſtrate or chief officer of the county or place where ſuch papiſt or ſuch other perſons ſhall reſide, all their arms and ammunition that ſhall be in their poſſeſſion or power, or in the cuſtody of any perſons in truſt for them, or at their diſpoſition, except ſuch arms as the chief governors and privy council ſhall by licence authorize any papiſt to have.

Keeping arms without licence.

CXVII. *ſect.* 2. Every papiſt and other perſon as aforeſaid, who ſhall have, keep, or uſe any arms or ammunition not being licenſed, or who ſhall not deliver up the ſame in manner as aforeſaid, and all perſons who knowingly ſhall have any arms or ammunition, to the uſe of or in truſt for any papiſt, or for any ſuch other perſon as aforeſaid, and all perſons who upon demand or ſearch made for arms and ammunition, according to the directions in this or the ſaid former act, ſhall conceal, refuſe, or neglect to diſcover and give up to the perſons authorized by the ſaid former act to ſearch for, ſeize and demand the ſame, all ſuch arms and ammunition as

Oppoſing ſearch.

they or any perſons in truſt for them ſhall have, or ſhall oppoſe or in any wiſe diſturb any perſons ſo impowered to ſearch for and ſeize the ſame, and all perſons who ſhall refuſe to be examined upon their oath when thereto required, by any two juſtices of the peace, or by the magiſtrate or chief officer of any county, city, or town-corporate, concerning the diſcovery and delivery of ſuch arms and ammunition, and all perſons who being ſummoned in writing, ſigned by any two juſtices of the peace, or by the magiſtrate or chief officer of any county, city, or town corporate, where the perſon ſo ſummoned ſhall then reſide, whereof notice in writing ſhall be given

Refuſing to be examined.

to them, or left at their uſual place of abode, ſhall without reaſonable cauſe refuſe or neglect to appear before ſuch juſtices, magiſtrate, or chief officer to be examined as aforeſaid, every ſuch perſon ſo offending in any of the matters aforeſaid, if ſuch perſon be a peer or peereſs of this realm, he or ſhe being thereof convicted at the aſſiſes or at the quarter-ſeſſions of the county or county of the city of Dublin, where

Forfeitures.

the ſaid offences ſhall be committed, for the firſt offence ſhall forfeit three hundred pounds,

pounds, and every perſon under the degree of a peer or peereſs ſo offending, ſhall for the firſt offence, being thereof convicted in manner aforeſaid, forfeit fifty pounds, and ſhall ſuffer impriſonment by order of the ſaid juſtices for one year, and until he or ſhe ſhall have paid the ſaid penalties; and every perſon ſo convicted who ſhall offend a ſecond time in the premiſſes, being thereof convicted in manner aforeſaid, ſhall incur all the penalties and forfeitures of a perſon attainted in a *premunire*; and the ſaid reſpective ſums of three hundred pounds and fifty pounds ſo forfeited, ſhall go one moiety thereof to his Majeſty, and the other moiety to ſuch perſons proſecuting to conviction ſuch offender, according to the direction of the juſtices, before whom any ſuch offender ſhall be convicted. Penalties diſpoſed of.

CXVIII. *ſect.* 3. Nothing herein contained ſhall extend to ſubject any papiſt, or ſuch other perſon as aforeſaid, to any penalty or forfeiture for concealing arms or ammunition, who ſhall voluntarily before any information given, diſcover and deliver up all his or her arms or ammunition, to ſome juſtice of the peace or chief magiſtrate. Diſcovering arms.

CXIX. *ſect.* 5. No perſon ſhall be convicted or incur any penalty upon this act, for any offence committed contrary thereto, upon any confeſſion or diſcovery he or ſhe ſhall make, being examined upon oath, nor ſhall any ſuch examination be given in evidence againſt the perſon ſo examined, unleſs ſuch perſon ſhall be indicted for having committed wilful perjury in ſuch examination. No penalty on confeſſion.

CXX. *ſect.* 6. When any perſon ſhall be proſecuted for any the offences aforeſaid, the juſtices before whom ſuch proſecution ſhall be then depending, ſhall tender to every ſuch perſon ſo proſecuted the oath of abjuration, and the oaths and declaration in the ſaid act ſet forth; and if any ſuch perſon to whom ſuch tender ſhall be made, do refuſe to take the ſaid oaths, and repeat the ſaid declaration, ſuch refuſal ſhall amount to full proof, that ſuch perſon is a papiſt, and was ſo at the time of the offence committed. Refuſing oaths a conviction.

CXXI. *ſect.* 7. Provided that though the perſon to whom ſuch tender ſhall be made, ſhall take the ſaid oaths and repeat the ſaid declaration, and ſubſcribe the ſame, yet it ſhall be lawful for the perſons who ſhall proſecute, to give evidence that the perſon proſecuted at the time of the offence committed was a papiſt, or other ſuch perſon as aforeſaid. Proof of being papiſt.

CXXII. *ſect.* 8. If any of the people called quakers, ſhall be charged with any of the offences aforeſaid, upon proof that ſuch perſon hath been one of the people called quakers, by producing and proving a certificate under the hands and ſeals of ſix credible men of his or her congregation, owning him or her to be one of them, and two of the ſubſcribers appearing before any juſtices before whom ſuch quaker ſhall be tried, ſuch juſtices ſhall not tender to ſuch quaker the ſaid oaths and declaration, but in the room thereof, ſhall tender to ſuch quaker the declarations provided for quakers, by an act 8 *Ann. for explaining and amending an act to prevent the further growth of popery.* Declaration for quakers.

CXXIII. *ſect.* 9. The ſheriffs of every county, at every aſſiſes, commiſſion of *oyer* and *terminer*, and at every quarter-ſeſſions in the county of Dublin and county of the city of Dublin, ſhall return in calendar to the juſtices of aſſiſe, commiſſioners of *oyer* and *terminer*, or juſtices of the peace in the county of Dublin, and county of the city of Dublin, all perſons who have been convicted in purſuance of this act, who have not paid the fine impoſed, on pain of forfeiting for every ſuch omiſſion ten pounds, to be recovered in a ſummary way by civil bill to the uſe of the informer. Return by ſheriffs.

CXXIV. *ſect.* 10. As often as any perſons ſo convicted, ſhall not pay the fine impoſed purſuant to this act, within one calendar month after his or her years impriſonment Reward to proſecutors.

priſonment ſhall be expired, whereby the perſons diſcovering and convicting ſuch offenders, may loſe the reward hereby intended for them, the perſon ſo diſcovering and convicting ſuch offenders, ſhall receive ten pounds for every ſuch offender ſo convicted as aforeſaid, to be given or diſtributed to ſuch perſons proſecuting to conviction ſuch offender, according to the direction of the juſtices before whom ſuch offender ſhall be convicted, which ſum the grand jury, who ſhall preſent ſuch offender to be inſolvent as aforeſaid, ſhall preſent to be levied on the popiſh inhabitants of the county, county of the city, or of the town wherein ſuch offender ſhall be convicted, and the ſame ſhall be raiſed and paid to the perſons hereby intitled to the ſaid ſum, by ſuch means, and in ſuch manner as money is uſually levied for the reimburſing perſons robbed of money or goods by robbers.

Preſentment.

Conſtables to ſearch.

CXXV. *ſect.* 11. The juſtices of the peace ſhall at the midſummer quarter-ſeſſions, yearly iſſue their warrants ſigned by the juſtices who hold the ſaid ſeſſions, and under the ſeal of the chairman of every ſuch ſeſſions, therein commanding and authorizing all high and petty conſtables within their reſpective diviſions, and any two other perſons in each barony whom they ſhall think fit to appoint, to ſearch according to the direction in the ſaid former act, for arms and ammunition, in the poſſeſſion of all papiſts or other ſuch perſons as aforeſaid, and the chief magiſtrate of every city and town corporate not being a county of a city or county of a town, or his deputy, ſhall once in a year iſſue his warrant to the conſtables of ſuch city or town to ſearch in manner aforeſaid.

Magiſtrates neglecting.

(2) And the chief magiſtrate or his deputy, neglecting to iſſue ſuch warrant in manner aforeſaid, ſhall for every ſuch neglect forfeit ten pounds, and every high conſtable neglecting or refuſing to execute ſuch warrant, ſhall forfeit five pounds, and every petty conſtable neglecting or refuſing to execute ſuch warrant, ſhall forfeit twenty ſhillings.

Recovery by civil bill.

(3) All which forfeitures ſhall be ſued for by civil bill at the aſſiſes or at the quarter-ſeſſions, where there are not any aſſiſes held for the ſaid counties or cities, where ſuch chief magiſtrates, high and petty conſtables as aforeſaid reſpectively reſide, by any perſon who ſhall ſue for the ſame; and ſuch proceſs, decree, and execution ſhall iſſue as is uſual in civil bills, which penalties ſo recovered, together with coſts of ſuit, ſhall be to the uſe of the perſon ſo ſuing.

Juſtices refuſing.

CXXVI. *ſect.* 12. If any juſtice ſhall after due information upon oath made before him of any arms and ammunition being concealed by or in the poſſeſſion of any papiſt, or other ſuch perſon as aforeſaid, refuſe or neglect to cauſe ſearch to be made for ſuch arms within a reaſonable time after ſuch information, every ſuch juſtice ſhall for every ſuch refuſal or neglect, forfeit twenty pounds, to be recovered by civil bill in manner aforeſaid.

Saving the power of juſtices.

CXXVII. *ſect.* 13. Nothing herein contained ſhall extend to abridge the power of any two juſtices of the peace within the limits of their juriſdiction, or of the mayors, ſheriffs, and chief officers of cities and towns corporate in their reſpective liberties, by themſelves or by warrants whenever they ſhall judge it neceſſary, to ſearch for and ſeize according to the directions in this and the ſaid recited act, all arms, &c. which ſhall be in the poſſeſſion of any papiſt or other ſuch perſon as aforeſaid, or in the hands of any perſons in truſt for them, or at their diſpoſal, or that ſhall be concealed in any houſe or other place where they ſhall ſuſpect any ſuch arms to be concealed.

Warlike ſtores.

CXXVIII. *ſect.* 14. No papiſt, or other ſuch perſon as aforeſaid, ſhall for ſale or otherwiſe keep any warlike ſtores, ſword-blades, barrels, locks or ſtocks of guns, or fire arms, and every papiſt or other ſuch perſon as aforeſaid, ſo offending, being thereof convicted by indictment before the juſtices of aſſiſe for the county where ſuch

ſuch offence ſhall be committed, or before the commiſſioners of *oyer* and *terminer*, or by indictment before the juſtices of the peace at the quarter-ſeſſions for the county of Dublin, or the county of the city of Dublin reſpectively, if the offence ſhall be there committed, ſhall forfeit the ſum of twenty pounds, and the offender ſo convicted ſhall ſuffer impriſonment for one year, and until he or ſhe ſhall have paid the ſaid forfeiture.

(2) And the ſaid ſum ſo forfeited may be recovered by civil bill at the aſſiſes for the county where ſuch offender ſhall be convicted, or at the ſeſſions of the peace for the county of Dublin, or county of the city of Dublin, if the offender ſhall be there convicted, by any perſon who ſhall ſue for the ſame; for recovery whereof ſuch proceſs, decree, and execution ſhall iſſue, as is uſual upon civil bills, and the money when ſo recovered, ſhall go together with coſts to the uſe of the perſon who ſhall ſue for the ſame. Recovery of penalty.

CXXIX. *ſect.* 15. Where any proteſtant ſervant, by the direction or privity of his maſter, being a papiſt or other ſuch perſon as aforeſaid, ſhall carry or keep any arms in his cuſtody, ſuch maſter ſhall be deemed as if he actually carried or kept ſuch arms, and ſhall ſuffer the penalties by this act inflicted on papiſts, or other ſuch perſon as aforeſaid who ſhall carry arms, and ſuch ſervant ſhall be ſubject to the penalties inflicted by this act, in the ſame manner as if he was a papiſt. Proteſtant ſervants of papiſts.

CXXX. *ſect.* 16. All proſecutions, for any offence againſt this act, ſhall be commenced within one year after the offence committed, and if ſuch proſecution ſhall be commenced after the end of the ſaid year, the ſame ſhall be void. Limitation of proſecutions.

CXXXI. *ſect.* 17. Every perſon profeſſing the proteſtant religion, who ſhall educate, or ſuffer to be educated, any of their children under the age of fourteen years in the popiſh religion, ſhall be deemed a papiſt to all purpoſes of this act. Educating children papiſts.

CXXXII. *ſect.* 20. The ſaid act paſſed in the ſeventh year of King Wiliam the third, *for the better ſecuring the government by diſarming papiſts*, ſo far as the ſame is not altered by this or ſome other act, ſhall be deemed to be a perpetual law, and that the ſame was ſo intended at the making thereof; and all juſtices of aſſiſe, and *oyer* and *terminer*, ſhall give this and the ſaid former act in charge, as often as any of them ſhall give a charge to any grand jury. The act 7 Will. perpetual.

CXXXIII. *Stat.* 31 *Geo.* 2. *cap.* 9. *ſect.* 1. The act 8 *Ann. cap.* 3. ſo far as it relates to the encouragement to popiſh prieſts becoming proteſtants, ſhall be revived and continued in force for the term of eleven years, and from thence to the end of the next ſeſſion of parliament. The act 8 Ann. revived.

Pardon.

I. *Eng. Stat.* 2 *Edw.* 3. *cap.* 2. Charters of pardon for manſlaughter, robberies, felonies, and other treſpaſſes, againſt the peace, ſhall not be granted, but only where the King may do it by his oath, *viz.* where a man ſlayeth another in his own defence, or by misfortune. *Confirmed* 4 *Edw.* 3 *cap.* 13. *and* 10 *Edw.* 3. *cap.* 3. Manſlaughter, &c.

II. *Eng. Stat.* 10 *Edw.* 3. *cap.* 3. If the King do grant any charter of pardon of any homicide, robbery, or felony, he to whom the ſame is granted, ſhall come within three months after, before the ſheriff and coroners of the county where the felony was done, and ſhall find ſix ſufficient mainpernors, for whom the ſaid ſheriff and coroners will anſwer, that he from henceforth ſhall bear himſelf well and lawfully; and the mainprizes ſhall be ſealed and returned into the chancery within three weeks after the end of the ſaid three months. Mainprizes.

(2) And

Charters void.

(2) And if he which hath ſuch charter will aid himſelf thereby, and hath not found ſuch mainprizes, or after ſuch mainprize found, doth bear him otherwiſe againſt the peace than he ought, his charter ſhall be void..

Death of a man.

III. *Eng. Stat.* 14 *Edw.* 3. *cap.* 15. No pardon of the death of a man, nor of other felony, ſhall be granted, but where the King may do it ſaving the oath of his crown; and if any charter be granted againſt the ſaid ſtatute, the ſame ſhall be holden for none.

Suggeſtion found untrue.

IV. *Eng. Stat.* 27 *Edw.* 3. *ſtat.* 1. *cap.* 2. In every charter of pardon of felony granted at any man's ſuggeſtion, the ſuggeſtion, and the name of him that maketh it, ſhall be compriſed in the charter; and if the ſuggeſtion be found untrue, the charter ſhall be diſallowed; and the juſtices before whom ſuch charters ſhall be alledged ſhall inquire of the ſuggeſtion.

Crimes to be ſpecified.

V. *Eng. Stat.* 13 *Ric.* 2. *ſtat.* 2. *cap.* 1. No pardon ſhall be allowed for murder, or for the death of a man ſlain by await, aſſault, or malice prepenſed, treaſon or rape of a woman, unleſs the ſame murder, &c. be ſpecified in the charter; and if a charter of the death of a man be alledged before any juſtices, in which it is not ſpecified, that he of whoſe death any ſuch is arraigned was murdered or ſlain by await, aſſault, or malice prepenſed, the juſtices ſhall inquire by inqueſt, if he were murdered or ſlain by await, aſſault, or malice prepenſed; and if they find that he was, the charter ſhall be diſallowed. *Confirmed by* 16 *Ric.* 2. *cap.* 6.

Provers offending again.

VI. *Eng. Stat.* 5 *Hen.* 4. *cap.* 2. Becauſe divers thieves being indicted of felonies become provers, to the intent that by brocage they might have their pardons; if any perſon purſue for ſuch thief, attainted by his own confeſſion, to have a pardon, the name of him that purſueth ſhall be put in the charter; and if he to whom ſuch charter is granted becometh a thief again, the perſon which did purſue ſhall incur the pain of 100*l.* to the King's uſe.

Pariſh-ceſſes.

Aſſeſſments by veſtries.

I. *Stat.* 5 *Geo.* 3. *cap.* 14. *ſect.* 35. The veſtries of the ſeveral pariſhes in the ſeveral cities in this kingdom (except the cities of Dublin and Cork) and the veſtries of the ſeveral pariſhes in the ſeveral towns-corporate, and borough towns in this kingdom, and in the market town of Lurgan, in the county of Armagh, may, and are hereby impowered, if they think fit, to preſent and aſſeſs ſuch ſums of money as they ſhall think neceſſary upon the inhabitants of ſuch pariſhes reſpectively, living within the bounds of ſuch cities and towns, for the paving, gravelling, or cleanſing the ſeveral ſtreets or lanes through ſuch part of every ſuch pariſh, as is in ſuch cities and towns; or for erecting lamps to enlighten the ſtreets or lanes in ſuch cities and towns.

Appointment of applotters.

II. (2) And alſo to appoint proper perſons to applot, and to levy the ſums ſo preſented by the ſaid veſtry, and to allow the ſaid perſons, any ſum not exceeding twelve pence for each pound ſo applotted and levied, for their trouble in applotting and levying the ſame.

Directors and overſeers.

III. (3) And to appoint proper perſons to be directors or overſeers for the expenditure of money ſo preſented, who ſhall be obliged to account upon oath to the veſtry of ſuch pariſh for the ſame; and to allow the ſaid perſons any ſum not exceeding two ſhillings, for each day every ſuch director or overſeer ſhall be neceſſarily employed in directing or overſeeing ſuch work.

Qualification to vote.

IV. *ſect.* 36. Provided, that no perſon ſhall have a right to vote at any ſuch veſtry, untill he ſhall have firſt taken the following oath, if thereto required by any

any pariſhioner; which oath the miniſter of ſuch pariſh is hereby impowered to adminiſter.

I A. B. *do ſwear, that I am a houſeholder of this pariſh, and that I live within the bounds of this city or town; and that I am worth one hundred pounds, over and above all the debts I owe; and that I am not a tenant at will for the houſe I live in.* Oath to be taken.

Pariſh-clerks.

I. *Stat.* 7 *Geo.* 2. *cap.* 7. *ſect.* 3. In caſe of any controverſy between pariſh-clerks and the pariſhioners, in relation to dues, it ſhall be lawful for pariſh-clerks to make their complaint in writing, to one juſtice of the peace of the county, county of a city, or county of a town, where the ſaid pariſhes lie, and the ſaid juſtices ſhall proceed to determine ſuch complaint, with the ſame powers, and in the ſame manner, and under the ſame reſtrictions, and with the like remedy of appeal as is directed by the act 1 *Geo.* 2. *cap.* 12. *for the more eaſy recovery of tithes and other eccleſiaſtical dues of ſmall value. See Tit.* **Tithes.** Complaint to a juſtice.

This act is altered as to all pariſh-clerks, except thoſe of the pariſhes in the city and ſuburbs of Dublin, by the following ſtatute.

II. *Stat.* 23 *Geo.* 2. *cap.* 12. *ſect.* 10. A veſtry ſhall be held yearly in every pariſh, or union, in which there ſhall be a place of public worſhip, in which divine ſervice ſhall be uſually celebrated, according to the rights of the church of Ireland, excepting ſuch pariſhes as lie, or whereof any part doth lie, within the city or ſuburbs of Dublin, on the Tueſday or Wedenſday next after the the 25th day of March in every year, and a ſum not exceeding twenty pounds, nor leſs than five pounds, ſhall at ſuch veſtry be aſſeſſed for the maintenance of the clerk of every ſuch pariſh, or union for the ſucceeding year, by the major part of the proteſtant pariſhioners then and there aſſembled. Aſſeſſment at a veſtry.

(2) And if the proteſtant pariſhioners of any pariſh, or union, other than the pariſhes before excepted, ſhall fail to make ſuch aſſeſſment, ſuch pariſh or union ſhall be chargeable with five pounds for the maintenance of the clerk of ſuch pariſh or union, for the year in which they ſhall ſo fail to make ſuch aſſeſſment. Failure to make aſſeſſment.

(3) And ſuch aſſeſſment, or in caſe of no ſuch aſſeſſment, the ſaid ſum of five pounds ſhall, within 30 days after the 25th day of March in every year, be equally applotted upon the pariſhioners, by the churchwardens or other perſons appointed for that purpoſe, by the major part of the proteſtant pariſhioners in veſtry aſſembled, which applotment ſhall be delivered to the miniſter, who, the firſt Sunday after he hath received the ſame, ſhall after divine ſervice in the morning give public notice thereof, as alſo of a veſtry to be held within ten days after ſuch notice, in order to have ſuch applotment examined into, at which veſtry the major part of the proteſtant pariſhioners there aſſembled ſhall have power to hear all parties who ſhall object to ſuch applotment, and to make alterations therein, and then finally to ſettle the ſame. Applotment on pariſhioners.

(4) And after the ſame ſhall be ſo ſettled, they ſhall cauſe two tranſcripts thereof to be made, each to be ſubſcribed by the miniſter, churchwardens, and three of the proteſtant pariſhioners then preſent, one part whereof ſhall remain with the churchwardens, and the other ſhall be delivered to the pariſh clerk. Tranſcripts of applotment.

(5) And if ſuch applotment ſhall not be ſo made, ſettled, and ſubſcribed, and delivered to the pariſh clerk within two calendar months after the 25th day of March in every year, it ſhall be lawful for any two juſtices of the peace of the county Two juſtices to ſettle applotment,

county, where ſuch pariſh or union, or part of ſuch pariſh or union doth lie, upon examination of one or more witneſſes upon oath, and upon ſuch other evidence as may be laid before them, to make and finally to ſettle ſuch applotment, which juſtices are required to make two tranſcripts thereof, when the ſame ſhall be ſo ſettled without fee, and to ſign and ſeal each part, and to deliver one part to the church-wardens of ſuch pariſh, or union, or to one of them, and the other part to the pariſh-clerk.

To be levied by warrant.

(6) And the money ſo applotted by ſuch juſtices, or applotted in ſuch other manner as is before directed, ſhall be levied by warrant under the hands and ſeals of two juſtices of the peace of the county where ſuch pariſh, or union, or part of ſuch pariſh or union doth lie, by the pariſh-clerk or other perſons by him appointed, by diſtreſs and ſale of the goods of the perſons refuſing or neglecting to pay the ſums ſo applotted upon them, together with the charges of ſuch diſtreſs and ſale, returning the overplus if any ſhall be to the owner.

Service in two or more pariſhes.

III. *ſect.* 11. Where the cure of two or more pariſhes, though not united, is ſerved by the ſame perſon, and divine ſervice is uſually celebrated in one of the ſaid pariſhes only, or in the ſaid ſeveral pariſhes alternately, the maintenance before provided for the pariſh-clerk, who ſhall attend the celebration of divine ſervice in ſuch pariſhes, ſhall be levied and applotted upon all ſuch pariſhes in manner herein before directed, and the proteſtant inhabitants of all ſaid pariſhes ſhall have a right to be preſent, and vote at all veſtries to be aſſembled purſuant to this act, for levying and applotting the ſame.

Chapels of eaſe.

IV. *ſect.* 12. Provided where in any pariſh or union, other than thoſe excepted as aforeſaid, there ſhall be one or more chapels of eaſe, or other place where divine ſervice ſhall be performed, that in ſuch caſe the pariſhioners in veſtry aſſembled as aforeſaid, ſhall be impowered to raiſe a ſum not leſs than four pounds, nor exceeding eight pounds a year, for each clerk of ſuch chapels of eaſe, to be applotted and raiſed as is before directed for the pariſh clerk, except ſuch chapels ſhall be ſerved only alternately, or any leſs frequent turns, with the church of ſuch pariſh or union, in which caſe no proviſion ſhall be made for more than one clerk.

No ſalary by cuſtom.

V. *ſect.* 13. No clerk of any pariſh or union, other than thoſe excepted as aforeſaid, ſhall during the continuance of this act, be intitled to any fee, ſalary, or due, by virtue of any uſage or cuſtom

No excommunication.

VI. *ſect.* 15. Whereas ſeveral perſons have been excommunicated in ſuits inſtituted in the ſpiritual courts, for the recovery of ſums claimed by the pariſh-clerks as due by cuſtom; no proceſs ſhall hereafter iſſue on any ſuch excommunication, or if iſſued, the ſame ſhall ſurceaſe, and ſuch excommunication ſhall not be conſidered as any diſability.

Such parts of this act, as relate to the more eaſy providing a maintenance for pariſh-clerks, with the amendment made thereto by Stat. 33 Geo. 2. cap. 11. are by that act continued to the 24th of May 1767, and unto the end of the then next ſeſſion.

Continuation of the act 23 Geo. 2.

VII. *Stat. 33 Geo. 2. cap. 11. ſect. 1.* Such part of an act paſſed 23 *Geo. 2. cap.* 12. as relates to the more eaſy providing a maintenance for pariſh-clerks, with the following amendments thereto, ſhall be revived and continued from the twenty fourth day of May 1760, to the twenty fourth day of May 1767, and from thence to the end of the then next ſeſſion of parliament.

Time for holding veſtries.

VIII. *ſect.* 2. In every pariſh or union, wherein, by the ſaid laſt recited act, it is enacted, that a veſtry ſhall be held for aſſeſſing a maintenance for the clerk of ſuch pariſh or union, ſuch veſtry ſhall be held in the ſaid year 1760, on the Monday

or

or Tueſday in Whitſon-week, and in every other, on the Monday or Tueſday in Eaſter-week.

Sums to be aſſeſſed.

(2) And if divine ſervice is uſually celebrated in the church belonging to ſuch pariſh or union, on Sundays and other feſtival days, and alſo on common week days, the ſum to be aſſeſſed at ſuch veſtry for the maintenance of the clerk of ſuch pariſh or union for the enſuing year, ſhall be a ſum not exceeding twenty pounds, nor leſs than ten pounds; and in all other caſes, the ſum to be aſſeſſed at ſuch veſtry for the maintenance of the clerk of ſuch pariſh or union for the enſuing year, ſhall not exceed ten pounds, nor ſhall be leſs than five pounds.

Failure to make aſſeſſment.

(3) And if the proteſtant pariſhioners of any pariſh or union, other than the pariſhes excepted by the ſaid act, ſhall fail to make ſuch aſſeſſment, ſuch pariſh or union ſhall be chargeable with the ſum of ten pounds, for the maintenance of the clerk of the pariſh or union, for the year in which they ſhall ſo fail to make ſuch aſſeſſment, if divine ſervice is uſually celebrated in the church belonging to ſuch pariſh or union on Sundays and other feſtival days, and alſo on common week days, and in all other caſes, ſuch pariſh or union ſhall be chargeable with the ſum of five pounds for the maintenance of the clerk of ſuch pariſh or union, for the year in which they ſhall ſo fail to make ſuch aſſeſſment.

Applotments to be made.

(4) And if ſuch aſſeſſment ſhall be made, then the ſum ſo aſſeſſed, or in caſe of no ſuch aſſeſſment, then the ſaid ſum of ten pounds, or five pounds, as the caſe ſhall happen, ſhall within thirty days after Whit-Sunday in the ſaid year 1760, and within thirty days after Eaſter Sunday in every ſucceeding year, be equally applotted in ſuch manner as ceſſes for the repairs of the church are uſually applotted, or by law ought to be applotted in ſuch pariſh or union.

Church wardens to levy the money.

(5) And after ſuch applotment ſhall be finally aſcertained, and a tranſcript thereof ſhall be delivered to the church-wardens of ſuch pariſh or union, or to one of them, in the manner directed by the ſaid act, ſuch church-wardens ſhall, with all convenient expedition, proceed to levy the ſame, together with the other ceſſes of ſuch pariſh or union, and ſhall pay over the ſame to ſuch pariſh-clerk.

Remedy by civil bill.

(6) And in caſe of their wilful neglect or refuſal to collect the ſame, or to pay the ſame to ſuch pariſh-clerk, ſuch pariſh-clerk ſhall have the like remedy againſt ſuch church-wardens, by civil bill proceſs to be brought in his own name, for the recovery of the ſum ſo applotted for him; and ſuch church-wardens ſhall have the like remedy over and againſt ſuch pariſh or union, as is enacted by an act made in the third year of his preſent Majeſty's reign, intituled, *an act for the better keeping churches in repair.*

Chapels of eaſe

IX. *ſect.* 3. In every chapel of eaſe wherein proviſion is made by the ſaid recited act of the twenty third year of his preſent Majeſt's reign, for the yearly maintenance of the clerk of ſuch chapel of eaſe, ſuch yearly maintenance ſhall be aſſeſſed, applotted, levied, and paid in ſuch manner as is herein before directed for the pariſh-clerks, with ſuch remedy for the recovery thereof, by the clerk of ſuch chapel of eaſe, and ſuch remedy over for the church-wardens of the pariſh or union to which ſuch chapel of eaſe ſhall belong, as is herein before provided, concerning the yearly maintenance for pariſh-clerks.

This act is continued to the firſt day of May, one thouſand ſeven hundred and ſeventy three, and to the end of the then next ſeſſion of parliament, by Stat. 5 Geo. 3. cap. 15. ſect. 1.

Election of knights of ſhires.

I. *Eng. Stat.* 7 *Hen.* 4. *cap.* 15. The elections of knights of ſhires ſhall be made as followeth, *viz.* at the next county after delivery of the writ, proclamation ſhall be made of the day and place of the parliament, and that all that be preſent ſhall attend to the election of their knights; and then in full county they ſhall proceed to the election freely. And after they be choſen, the names of the perſons ſhall be written in an indenture under the ſeals of them that did chooſe them, and tacked to the writ, which indenture ſhall be the return. And in the writs of parliament this clauſe ſhall be put; *and your election in your full county made, you ſhall without delay diſtinctly and openly certifie under your ſeal and the ſeals of them who were concerned in that election to us in our chancery, at the day and place in the writ contained.*

Free holders having 40s. a year.

II. *Eng. Stat.* 8 *Hen.* 6. *cap.* 7. The knights of the ſhires ſhall be choſen by people dwelling in the ſame counties, whereof every one ſhall have free land or tenements to the value of 40 *s.* by year, and they that be choſen ſhall be reſiant within the counties. And ſuch as have the greateſt number of them that may expend 40 *s.* by year, ſhall be returned by the ſheriffs, by indentures ſealed betwixt the ſheriffs and the chooſers.

Sheriff to examine on oath.

(2) And every ſheriff ſhall have power to examine upon the evangeliſts every chooſer, how much he may expend by the year; and if any ſheriff return knights contrary to the ſaid ordinance, the juſtices of aſſiſes ſhall have power to inquire. And if by inqueſt the ſame be found before the juſtices, and the ſheriff be duly attainted, the ſheriff ſhall incur the pain of 100 *l* and alſo have impriſonment by a year; and the knights returned contrary to the ſaid ordinance, ſhall looſe their wages. Provided that he that may not expend 40 *s.* by year, ſhall in no wiſe be chooſer of the knights of parliament; and in every writ to chooſe knights for the parliament, mention ſhall be made of the ſaid ordinances.

Dwellers in the county.

III. *Eng. Stat.* 10 *Hen.* 6. *cap.* 2. The knights of all the counties ſhall be choſen by people dwelling in the ſame, whereof every man ſhall have freehold to the value of 40 *s.* by the year within the county.

Sheriffs to make precepts.

IV. *Eng. Stat.* 23 *Hen.* 6. *cap.* 15. *ſect.* 1. Every ſheriff after the delivery of the writ, ſhall make a precept under his ſeal to every mayor and bailiff of the cities and boroughs, reciting the writ, commanding them by the precept, if it be a city, to chooſe by citizens of the ſame city, citizens, and in the ſame manner, if it be a borough, by the burgeſſes of the ſame burgeſſes, to come to the parliament

Returns by indenture.

(2) And the mayor and bailiffs ſhall return the precept to the ſheriffs by indentures between the ſheriff and them of the ſaid elections, and of the names of the citizens and burgeſſes choſen, and thereupon every ſheriff ſhall make return of ſuch writ, and of every return by the mayors and bailiffs to him made.

Penalties on ſheriffs.

(3) And every ſheriff that doth contrary to any ſtatutes for the election of knights, citizens and burgeſſes, ſhall incur the pain contained in the ſtatute 8 *Hen.* 6. *cap.* 7. and moreover ſhall forfeit to every perſon choſen knight, citizen, or burgeſs, in his county, and not duly returned, or to any other which in default of ſuch knight, citizen, or burgeſs will ſue, an hundred pounds with coſts.

Falſe returns.

(4) And any mayor and bailiffs, &c. who ſhall return other than thoſe which be choſen by the citizens and burgeſſes, ſhall forfeit to the King forty pounds, and moreover ſhall forfeit to every perſon choſen citizen or burgeſs and not returned, or to any other which in default of ſuch citizen or burgeſs will ſue, forty pounds with coſts.

V. *ſect.*

V. *ſect.* 2. Every ſheriff that maketh not due election of knights in convenient time, *viz.* every ſheriff in his full county between the hours of eight and nine before noon, and every ſheriff that maketh not true return of ſuch elections, ſhall forfeit to the King, 100 *l.* and alſo ſhall incur the pain of 100 *l.* to him that will ſue againſt him, his executors, or adminiſtrators, with coſts. Election in full county.

VI. *ſect.* 3. Provided that every knight, citizen, and burgeſs choſen and not returned, ſhall begin his action of debt within three months after the parliament commenced to proceed in the ſame effectually, and if he do not, another that will ſue ſhall have the action. Action for not returning.

(2) And if any knight, citizen, or burgeſs returned by the ſheriff, after ſuch return be put out and another put in his place, ſuch perſon ſo put in the place, if he take upon him to be knight, citizen, or burgeſs at any parliament, ſhall forfeit to the King 100 *l.* and 100 *l.* to the knight, citizen, or burgeſs returned by the ſheriff, and put out. Perſons returned put out.

(3) And the knight, citizen, or burgeſs ſo put out, ſhall have an action of debt of the ſame 100 *l.* againſt ſuch perſon put in his place, his executors or adminiſtrators, provided that he begin his ſuit within three months after the parliament commenced, and if he do not, then he that will ſue ſhall have an action of debt of the ſame 100 *l.* againſt him which is put in the place of him that is put out after return, his executors or adminiſtrators. Action of debt.

(4) And ſuch proceſs ſhall be in the actions aforeſaid as in a writ of treſpaſs againſt the peace at common law, ſo that the knights of ſhires ſhall be able knights of the counties, or ſuch eſquires and gentlemen of the ſame counties as ſhall be able to be knights, and no man to be ſuch knight which ſtandeth in the degree of a yeoman. Proceſs as in a writ of treſpaſs.

VII. *Stat.* 25 *Hen.* 6. *cap.* 8. For that a law is eſtabliſhed, that every lord that is called lord of parliament, in all pleas as well perſonal as real in which amerciaments do lie, ſhall be amerced in one hundred ſhillings, it is ordained, that no lord of parliament ſhall be amerced in the ſaid pleas, otherwiſe than another perſon. Amerciament of Lords.

VIII. *Stat.* 3 *Edw.* 4. *cap.* 1. Whereas the privilege of every parliament and great council of this land of Ireland is, that no miniſter of the ſaid parliament, coming or going to the ſaid parliament, during forty days before and forty days after the parliament finiſhed, ſhould not be impleaded nor troubled by no mean: It is alſo enacted, that every miniſter, as well lords, proctors as commons, be diſcharged and quitted of all actions had or moved againſt any of them during the time aforeſaid, and this to endure for ever. Privilege coming to parliament.

IX. *Stat.* 10 *Hen.* 7. *cap.* 4. At the requeſt of the commons of the land of Ireland, it *is* enacted, *that* no parliament ſhall be holden hereafter in the ſaid land, but at ſuch ſeaſon as the King's lieutenant and council there, firſt do certify the King under the great ſeal of that land, the cauſes and conſiderations, and all ſuch acts as them ſeemeth ſhould paſs in the ſame parliament. Certificate of acts to be paſſed.

(2) And ſuch cauſes, conſiderations, and acts affirmed by the King and his council to be good and expedient for that land, and his licence thereupon, as well in affirmation of the ſaid cauſes and acts, as to ſummon the ſaid parliament under his great ſeal of England had and obtained, a parliament to be had and holden after the form and effect afore rehearſed; and if any parliament be holden in that land hereafter contrary to the form and proviſion aforeſaid, it *ſhall* be deemed void and of none effect in law. Licence of the King under the great ſeal.

Parliament robes.

X. *Stat.* 10 *Hen.* 7. *cap.* 16. Every lord, as well ſpiritual as temporal, *ſhall* appear to every parliament in their parliament robes, in like form as the lords of the realm of England doth appear to the parliament holden within the ſaid realm. And if any of the aforeſaid lords appear to any parliament hereafter to be holden, not having his robe of parliament as before it is ſpecified, they that ſo ſhall offend this preſent act, and as often to forfeit to our Sovereign Lord C. *s.* to be levied of his lands and goods in like manner as other forfeitures been levied.

Proctors of the clergy.

XI. *Stat.* 28 *Hen.* 8. *cap.* 12. Foraſmuch as at every parliament begun and holden within this land, two proctors of every dioceſe within the ſaid land, have been uſed and accuſtomed to be ſummoned and warned to be at the ſame parliament, the ſaid proctors ſummoned or warned to any parliament to be holden within this land, ſhall be any member ne parcel of the body of the ſame parliament, ne ſhall give, ne have any voice, opinion, aſſent or agreement to any act to be enacted in any parliament within this land, ne yet their voices, aſſents or opinions, ſhall not be neceſſary to any ſuch act, but every act to be made in any parliament to be holden within this land, without the aſſent, conſent or agreement of the ſaid proctors, or contrary to the ſame, ſhall be good and effectual, and the ſaid proctors, ne any of them, ſhall be deemed or taken as parcel, or any member of any parliament hereafter to be holden, but only as counſellors and aſſiſtants to the ſame.

Former acts made void.

XII. *Stat.* 33 *Hen.* 8. *ſeſſ.* 2. *cap.* 1. *ſect.* 1. *All acts of parliament* that no parliament ſhould be ſummoned, appointed, holden, adjourned, or prorogued in any city, town or place within this realm, but in Dublin or in Drogheda, ne that no parliament ſhould be prorogued or adjourned over and above two times after the beginning of the ſaid parliament, neither that no knight, citizen, ne burgeſs, ſhould be choſen in parliament, but ſuch as did dwell within the counties, cities, or towns where they be choſen, and that every ſuch knight ſhould ſpend forty ſhillings in fee-ſimple, fee-tail, or freehold within the ſame ſhire where he is choſen, except the town of Drogheda, and every proctor to be within the ſame dioceſe, ſhall be from the times of the making of the ſame acts, and any of them, void.

Members to be reſiant where choſen.

XIII. *ſect.* 2. From henceforth every knight, citizen and burgeſs for every parliament hereafter to be ſummoned, ſhall be reſiant and dwelling within the counties, cities, and towns choſen and elected by the greater number of the inhabitants of the ſaid counties, cities and towns being preſent at the ſaid election, by virtue of the King's writs for that intent addreſſed; and alſo the ſaid knights to be elected and choſen in manner and form before rehearſed.

Electors to have freeholds.

(2) And every elector of the ſaid knights to diſpend and have lands and tenements of eſtate of freehold within the ſaid counties, at the leaſt to the yearly value of forty ſhillings over and above all charges, and every of the inhabitants aforeſaid, chooſing or electing in any other manner than as before is mentioned, to forfeit an hundred ſhillings, the moiety thereof to the King, and the other moiety to any that will ſue for the ſame in any court of record, wherein no eſſoign, &c. to be allowed.

Penalty on ſheriffs.

(3) And every ſheriff or other officer returning any knight, citizen or burgeſs choſen or elected in any other manner than as is before expreſſed, to forfeit an hundred pounds, to be recovered as before is ſpecified.

Penalty on members not choſen, &c.

(4) And every knight, citizen, and burgeſs taking upon them to be knight, citizen or burgeſs, and not choſen nor elected in manner and form as is before mentioned, to forfeit an hundred pounds, to be recovered in manner before rehearſed.

XIV. *Stat.*

XIV. *Stat.* 3 & 4 *Phil. & Mar. cap.* 4. *ſect.* 1. The act 10 *Hen.* 7. *cap.* 4. ſhall be expounded and taken as followeth, that is to ſay, that no parliament be ſummoned or holden within this realm of Ireland, until the lieutenant, chief governor or governors, and the council of Ireland, ſhall have certified the King and Queen's Majeſties, her heirs and ſucceſſors under the great ſeal of this realm, the conſiderations, cauſes, and articles of ſuch acts as by them ſhall be then thought meet to be enacted and paſſed here by parliament, and ſhall have alſo received again their Majeſties anſwer under their great ſeal of England, declaring their pleaſure either for the paſſing of the ſaid acts in ſuch form as they ſhould be ſent into England, or elſe for the alterations of them, or any part of the ſame. Expoſition of the act, 10 H. 7.

XV. *ſect.* 2. After ſuch return made, and after licence and authority to ſummon a parliament within the ſaid realm of Ireland, granted under the great ſeal of England, unto the ſaid lieutenant or chief governors of the ſame realm, the ſame lieutenant, chief governor or governors may ſummon and hold a parliament for paſſing and agreeing upon ſuch acts, and no other, as ſhall be ſo returned under the great ſeal of England. Summons to parliament.

XVI. *ſect.* 3. As well after every ſuch authority and licence ſent into this realm, as alſo at all times after the ſummons, and during the time of every parliament to be holden within the ſaid realm according to the tenor of this act, the lieutenant, or chief governors and council of the ſame realm, may certify all ſuch other conſiderations and ordinances, as they ſhall further then think good to be enacted in the ſame parliament, to the King and Queen's Majeſties, her heirs and ſucceſſors, under the great Seal of Ireland, and ſuch conſiderations and ordinances, or any of them, as ſhall be thereupon certified and returned into the ſaid realm under the great ſeal of England, and no others, may paſs and be enacted here in every ſuch parliament, in caſe the ſame, or any of them be agreed and reſolved upon by the three eſtates of the ſaid parliament. Other conſiderations may be certified.

XVII. *ſect.* 4. Every parliament ſummoned and holden within this realm ſince the making of the ſaid former act in the tenth year of the reign of King *Henry* the ſeventh, and all acts paſſed and enacted in the ſame, ſhall be in ſuch force as if this had never been made. Provided alſo, that this act ſhall not extend to the defeating or hindrance of any the proviſoes made in this ſeſſion of this preſent parliament. Confirmation of former laws.

XVIII. *Stat.* 11 *Eliz. ſeſſ.* 3. *cap.* 8. No bill *ſhall be* certified into England for the repeal or ſuſpending of the ſtatute 10 *Hen.* 7. *cap.* 4. paſſed when Sir Edward Poynings was lord deputy of Ireland, before the ſame bill be firſt agreed on in a ſeſſion of parliament, to be holden within this realm, by the more number of the lords aſſembled in parliament, and the greater number of the common houſe. Bills to be agreed to in parliament.

(2) And if there be any act paſſed, or to be paſſed thereupon, touching the repeal, or ſuſpending of the ſaid ſtatute paſſed in Sir Edward Poynings government, to be utterly void, and of no effect to all purpoſes and intents. Repeal to be void.

XIX. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 21. All perſons now being, or which ſhall be an earl viſcount or baron of this kingdom, and have place and voice in the parliament of this realm, though reſident in England or elſewhere, ſhall be liable to all public payments and charges which ſhall be aſſeſſed in any parliament to be aſſembled in this kingdom, or by authority of the ſame, and ſhall pay their rateable parts thereof in ſuch manner as others of their rank, reſident in this kingdom, are liable unto. Peers reſident abroad.

XX. *Stat.* 10 & 11 *Car.* 1. *cap.* 12. *ſect.* 1, 2. If any perſon being arreſted in execution, and by privilege of either of the houſes of parliament *be* ſet at liberty, the New executions againſt members.

the party at whoſe ſuit ſuch writ of execution was purſued, his executors or adminiſtrators, after ſuch time as the privilege of that ſeſſion of parliament in which ſuch privilege ſhall be granted, ſhall ceaſe, may ſue forth and execute new writs of execution, in ſuch manner as he might have done if no ſuch former execution had been ſerved.

Sheriffs indemnified.

(2) And no ſheriff or other officer, from whoſe arreſt or cuſtody any ſuch perſon ſo arreſted in execution ſhall be delivered by ſuch privilege, ſhall be chargeable with any action for delivering out of execution any ſuch privileged perſon by privilege of parliament ſet at liberty. Provided that this act ſhall not extend to the diminiſhing of any puniſhment, to be hereafter by cenſure in parliament, inflicted upon any perſon which ſhall make or procure any ſuch arreſt. *Eng. Stat.* 1 *Jac.* 1. *cap.* 13.

Pretended parliament under King James void.

XXI. *Stat.* 7 *Gul.* 3. *cap.* 3. *ſect.* 1. All the acts or pretended acts, and the rolls whereon the ſaid pretended acts are recorded or ingroſſed, and all proceedings had or paſſed by the perſons lately aſſembled at Dublin, pretending to be or calling themſelves a parliament, and alſo all writs iſſued in order to the calling of the ſaid pretended parliament, and returned into any office in this kingdom, and there remaining, and all the journals of the ſaid pretended parliament, and other books or writings in any wiſe relating thereunto, or to the holding thereof, ſhall, by the officers or perſons in whoſe cuſtody the ſame are, be brought before the lord deputy, or chief governors, at ſuch time as the lord deputy or chief governors ſhall appoint at the council-chamber in Dublin, and there ſhall be publickly cancelled, and utterly deſtroyed.

Penalty for not delivering up the acts, &c.

(2) And in caſe any officer or perſon in whoſe cuſtody the ſaid acts and rolls, or proceedings, or any of them do remain, ſhall wilfully neglect or refuſe to produce the ſame, that the ſame may be cancelled and deſtroyed according to this act, every ſuch perſon and officer ſhall be adjudged to be from thenceforth incapable of any office or employment whatſoever, and ſhall forfeit five hundred pounds, one half thereof to his Majeſty, and the other half to ſuch perſons that ſhall ſue for the ſame by action of debt, &c. in any court of record.

Attainders void.

XXII. *ſect.* 2. All attainders, as alſo all other acts and proceedings, or pretended acts or proceedings of the ſaid pretended parliament, are hereby enacted to have been from the firſt making thereof, and now to be abſolutely void.

Diſcharge from all diſabilities.

XXIII. *ſect.* 3. All perſons who by any proceedings of the ſaid pretended parliament were attainted of high treaſon or any other crime, or ſubjected to any diſability or forfeiture, are hereby declared to have been ever ſince the making of the ſaid pretended acts, to be perſons lawful and capable, and diſcharged from all attainders, corruption of blood, diſabilities and forfeitures. *Eng. Stat.* 1 *Will. & Mar. ſtat.* 2. *cap.* 9.

Recital of the act. 3 Ed. 4.

XXIV. *Stat.* 6 *Ann. cap.* 8. *ſect.* 1. Whereas by a ſtatute 3 *Edw.* 4. *cap.* 1. it is declared, *that no miniſter of the ſaid parliament coming or going to the ſaid parliament during forty days before, and forty days after the ſaid parliament finiſhed, ſhould be impleaded, vexed, nor troubled by no mean*;

Recital of the act, 10 & 11 Car. 1.

XXV. *ſect.* 2. And whereas by one other act 10 & 11 *Car.* 1. *cap.* 12. it is recited, *that doubt had been made if any perſon being arreſted in execution, and by privilege of either of the houſes of parliament ſet at liberty, whether the party at whoſe ſuit ſuch execution was purſued, be for ever after barred and diſabled to ſue forth a new execution in that caſe; therefore it is hereby enacted, that from thenceforth the party at, or by whoſe ſuit ſuch writ of execution was purſued, his executors or adminiſtrators, after ſuch time as the privilege of that ſeſſion of parliament in*

which

which ſuch privilege ſhall be ſo granted, ſhall ceaſe, may ſue forth and execute a new writ or writs of execution, in ſuch manner and form as by the laws of this realm he might have done, if no ſuch former execution had been taken forth or ſerved; notwithſtanding which latter ſtatute great doubts have ariſen upon the words in the ſaid firſt recited act, what ſhall be underſtood and meant by the ſaid words, viz. *after the ſaid parliament finiſhed*; Doubts ariſen.

XXVI. *ſect.* 3. For explanation whereof, be it enacted that for ever hereafter the privilege of parliament ſhall begin forty days before the beginning or meeting of every parliament and ſhall continue during the ſetting or adjournment, and forty days after the prorogation or diſſolution of every parliament. Privilege before and after meeting.

XXVII. *ſect.* 4. Where any plaintiff ſhall by reaſon of privilege of parliament be ſtayed from proſecuting any ſuit, ſuch plaintiff ſhall not be barred by any ſtatute of limitation, nor ſhall his ſuit be diſcontinued for want of proſecution, but ſuch plaintiff ſhall be at liberty immediately after the riſing of the parliament to proceed to judgment and execution, as if ſuch plaintiff had not been hindered from proſecuting his ſuit by privilege of parliament. Limitation not to be a barr.

XXVIII. *ſect.* 5. It ſhall be lawful for all perſons during the continuance of privilege of parliament (as the ſame is hereby before declared) to diſtrain the goods and chattels of any peer, lord of parliament, or member of the houſe of commons, for the arrears of any rent, duty or ſervice which ſhall become due, and to diſpoſe of ſuch diſtreſſes as if the goods ſo diſtrained did not belong to any member of either houſe of parliament. Diſtreſs for arrears of rent.

XXIX. *ſect.* 6. No peer, lord of parliament, or member of the houſe of commons, who ſhall be a truſtee, guardian, executor or adminiſtrator, ſhall have any benefit of privilege of parliament in any ſuit which ſhall be proſecuted againſt them as truſtee, guardian, executor or adminiſtrator, in any court of law or equity, or in any eccleſiaſtical or other court. Member acting as truſtees, &c.

XXX. *ſect.* 7. No ſuit or proceeding in law or equity againſt any immediate debtor to the Queen, for the recovery of any debt or duty originally and immediately due to her Majeſty, or againſt any accountant unto her Majeſty for any part of her revenues, or for any immediate debt or duty, nor the execution of any ſuch proceſs or proceeding, ſhall be impeached or delayed by pretence of privilege of parliament; yet ſo that the perſon of any ſuch debtor or accountant being a peer of this realm, or lord of parliament, or being a member of the houſe of commons, ſhall not, during the continuance of privilege, be arreſted or impriſoned upon any ſuch action or proceedings. Proceedings againſt debtors to the crown.

XXXI. *Stat.* 2 *Geo.* 1. *cap.* 19. *ſect.* 1. All eſtates and conveyances made to any perſons in any colluſive manner, on purpoſe to qualify them to give their votes at elections of knights of the ſhire, citizens or burgeſſes, where freeholders have a right to vote in the election, ſubject to conditions or agreements, to defeat or determine ſuch eſtate, or to re-convey the ſame, ſhall be deemed againſt thoſe perſons who executed the ſame as abſolute, and be holden and enjoyed by all ſuch perſons to whom ſuch conveyance ſhall be made, abſolutely diſcharged from all truſts, conditions, clauſes of re-entry, powers of revocation, proviſoes of redemption or other defeazances between the ſaid parties, or any other perſons in truſt for them. Colluſive conveyances.

(2) And all bonds, covenants, or other ſecurities or agreements between the ſaid parties, or any perſons in truſt for them, for the redeeming, revoking or defeating ſuch eſtates, or for the reſtoring or re-conveying thereof, or any part thereof, to any perſons who made ſuch conveyance, or to any perſons in truſt for them, ſhall be void. Securities void.

(3) And

Forfeiture on the parties, &c.

(3) And every perſon who ſhall make ſuch conveyances, or being privy to ſuch purpoſe, ſhall deviſe or prepare the ſame, and every perſon who by colour thereof ſhall give any vote at any election of any member to ſerve in parliament, ſhall for every ſuch conveyance ſo made, or vote ſo created or given, forfeit forty pounds to any perſon who ſhall ſue for the ſame, to be recovered with full coſts of ſuit by action of debt, &c. in any of his Majeſty's courts of record at Dublin, wherein no eſſoign, &c. ſhall be allowed.

Six months before the vacancy.

XXXII. *ſect.* 2. No perſon ſhall vote for the electing of any ſuch member by virtue of any freehold of which he has not been in poſſeſſion, or ſhall not have received the profits, or be intitled to have received the ſame, to the full value of forty ſhillings *per ann.* to his own uſe for ſix months before ſuch election, unleſs ſuch lands came to ſuch perſon within the time aforeſaid, by deſcent, marriage, marriage ſettlement, deviſe or preſentation to ſome benefice in the church, or by promotion to ſome office unto which ſuch freehold is affixed.

Penalty on voters.

(2) And if any perſon ſhall vote in any ſuch election contrary to the intent hereof, he ſhall, for every ſuch offence, forfeit forty pounds, one moiety thereof to the poor of the pariſhes where the lands lie for which ſuch perſon ſhall vote, and the other moiety to the perſons who ſhall ſue for the ſame, to be recovered by action of debt, &c. in any of his Majeſty's courts of record at Dublin, wherein no eſſoign, &c. ſhall be allowed.

Oath to be taken by freeholders.

XXXIII. *ſect.* 3. Upon every election where freeholders have a right to vote for members of parliament, every freeholder before he is admitted to poll at ſuch election, ſhall, if required by the candidates, or any perſon having a right to vote at ſuch election, firſt take the oath mentioned in this clauſe, (*which is omitted, being altered by* Stat. 19 Geo. 2. cap. 11. ſect. 4. *whereby a new oath is required to be taken in manner herein mentioned; and this new oath is alſo altered by* Stat. 21 Geo. 2. cap. 10. ſect. 3. *and the oath preſcribed by this laſt ſtatute, is the oath now to be taken by freeholders voting at elections*) which oath the ſheriffs, or their under-

Sheriffs to adminiſter the oath.

ſheriff, or ſuch ſworn clerks as ſhall be appointed for the taking of the poll, is hereby required to adminiſter.

Penalty of perjury and ſubornation.

(2) And in caſe any freeholder or other perſon taking the ſaid oath, ſhall thereby commit wilful perjury, and be thereof convicted, or if any perſon do unlawfully and corruptly procure or ſuborn any freeholder, or other perſon to take the ſaid oath in order to be polled, whereby he ſhall commit ſuch perjury, and ſhall be thereof convicted, they for every ſuch offence ſhall incur the like penalties as are by one act of parliament made in the fifth year of Queen *Elizabeth (for puniſhment of ſuch perſons as procure or commit any wilful perjury)* enacted againſt ſuch who ſhall commit or ſuborne, or procure any perſon to commit any corrupt perjury.

Entries of freeholds and places of abode.

XXXIV. *ſect.* 4. In taking the poll, the ſheriffs, or their under-ſheriff and clerks, ſhall enter not only the place of the electors freehold, but alſo the place of his abode, as he ſhall declare the ſame at the time of the giving his vote, and alſo ſhall make or enter *jurat* againſt the name of every ſuch voter to whom the oath hereby required ſhall be tendered, and by whom the ſame ſhall be taken.

Poll-books to be delivered on oath.

(2) And the ſaid ſheriff or returning officer, ſhall, within twenty days after ſuch election, faithfully deliver over upon oath, which oath the two next juſtices of the peace are required to adminiſter unto the clerk of the peace of the ſame county, all the poll-books of ſuch elections, without any imbezelment or alteration, to be preſerved among the records of the ſeſſions of the peace of the ſaid county. *Brit. Stat.* 10 *Ann. cap.* 23.

Place for holding elections for county.

XXXV. *ſect.* 5. Upon every election to be made of knights of the ſhire to ſerve in parliament, the ſheriff of the county where ſuch election ſhall be made,

ſhall

ſhall proceed to election at the place where the aſſiſes for the ſaid county, and in the county of Dublin where the ſeſſions of peace for the ſame county, were laſt held.

(2) And the ſaid ſheriff, or in his abſence his under-ſheriff, or ſuch as he ſhall depute, ſhall at the ſame place of election proceed to the polling all the freeholders then and there preſent, and ſhall not adjourn the county court to any other place within the ſaid county, nor longer than from day to day, without the conſent of the candidates, nor ſhall by any unneceſſary adjournments in the ſame place of election protract the election, but ſhall duly and orderly proceed in the taking of the poll from day to day, and time to time without any further adjournment, without the conſent of the candidates, until all the freeholders then and there preſent ſhall be polled and no longer, except the poll ſhall be held on Saturday, in which caſe it ſhall be lawful to adjourn to the Monday following. Poll to be taken from day to day.

XXXVI. *ſect.* 6. In all towns, boroughs, or other places, having right to ſend members to ſerve in parliament, where the right of election is in the inhabitants of ſuch town, borough, or other place only, no inhabitant ſhall be qualified to give his vote at any election of any member to ſerve in parliament for ſuch place, unleſs he ſhall continue to be an inhabitant of ſuch place for ſix months next before the teſt of the writ for electing of members to ſerve in parliament. Habitation for ſix months before election.

XXXVII. *ſect.* 7. No freeholder, burgeſs, freeman, or inhabitant, being a papiſt, or profeſſing the popiſh religion, ſhall be admitted to give his vote in the election of knights, citizens, or burgeſſes to ſerve in any parliament, unleſs *he* ſhall have taken the oaths of allegiance and abjuration, at leaſt ſix calendar months before the day of ſuch election, and ſhall alſo take the ſaid oaths at the day of election, if required ſo to do by the ſheriff, one of the candidates, or any perſon having a right to vote at the ſaid election; which oaths the ſheriff, his ſub-ſheriff, or the returning officer at ſuch election is hereby impowered to adminiſter. Papiſts not to vote.

(2) And in caſe any papiſt, or perſon profeſſing the popiſh religion, ſhall contrary to this act give his vote at any election in any parliament, and be thereof convicted, ſuch perſon ſhall, for every ſuch offence, forfeit one hundred pounds, to be recovered by bill, plaint, or information in any of his Majeſty's courts of record in Dublin, in which no eſſoign, &c. ſhall be allowed, one moiety thereof to his Majeſty, and the other to the informer. Penalty on papiſts voting.

XXXVIII. *ſect.* 8. No perſon to be elected to ſerve in parliament for any county, city, or borough after the teſt of the writ of ſummons to parliament, upon the calling or ſummoning of any parliament hereafter, ſhall by himſelf, his friends or agents, or any employed on his behalf, and at his coſt and charge before his election to ſerve in parliament for any county, city or borough, directly or indirectly, give, preſent, or allow to any perſons having voice or vote in ſuch elections, any money, meat, drink, entertainment or proviſion, or make any preſent, gift, reward or entertainment, or ſhall make any promiſe, agreement, obligation or engagement, to give or allow any money, meat, drink, proviſion, preſent, entertainment or reward to any ſuch perſons in particular, or to any ſuch county, city or borough in general, or for the uſe, benefit, employment, profit or preferment of any ſuch perſons or places, in order to be elected, or for being elected to ſerve in parliament for ſuch county, city or borough. *Eng. Stat.* 7 *Will.* 3. *cap.* 4. *ſect.* 1. Entertaining voters, or promiſing rewards, &c.

XXXIX. *Stat.* 8 *Geo.* 1. *cap.* 2. *ſect.* 2. No privilege of parliament ſhall be allowed in any ejectment brought for the recovery of lands, &c. on account of non-payment of rent, nor in any ſuit commenced againſt any perſons on account of their wilful holding over any lands, &c. after the determination of their term, contrary to the intent of the act 11 *Ann. cap.* 2. *for the more effectual preventing of frauds committed* Ejectments for non payment of rent, &c.

committed by tenants, nor in any ſuit or motion to obtain any injunction or writ of *eſtrepement* to prevent waſte.

Demiſe of the King, &c.

XL. *Stat.* 1 *Geo.* 2. *cap.* 7. *ſect.* 1. This preſent parliament, or any other parliament which ſhall hereafter be ſummoned and called by his preſent Majeſty, his heirs or ſucceſſors, ſhall not be determined or diſſolved by the death or demiſe of his ſaid Majeſty, his heirs or ſucceſſors, but ſuch parliament ſhall continue and is hereby impowered and required, if ſitting at the time of ſuch demiſe, immediately to proceed to act, notwithſtanding ſuch death or demiſe, for ſix calendar months, and no longer, unleſs the ſame ſhall be ſooner prorogued or diſſolved by ſuch perſon to whom the crown of Great Britain and Ireland ſhall deſcend, according to the ſeveral acts made in Great Britain for limiting and ſettling the ſucceſſion thereof in the proteſtant line; and if the ſaid parliament ſhall be prorogued, it ſhall meet and ſit upon the day unto which it ſhall be prorogued, and continue for the reſidue of ſix kalendar months, unleſs ſooner prorogued or diſſolved as aforeſaid.

Meeting after the death of the King.

XLI. *ſect.* 2. If there be a parliament in being at the time of the death of his Majeſty, his heirs or ſucceſſors, but the ſame happens to be ſeparated by adjournment, ſuch parliament ſhall immediately after ſuch demiſe meet and ſit, and ſhall act notwithſtanding ſuch death or demiſe for ſix kalendar months, and no longer, unleſs the ſame ſhall be ſooner prorogued or diſſolved as aforeſaid.

Proclamation by ſucceſſor.

XLII. *ſect.* 3. If there be a parliament in being at the time of the death of his Majeſty, his heirs or ſucceſſors, but the ſame happens to be ſeparated by prorogation, ſuch parliament may, notwithſtanding ſuch death or demiſe, convene at ſuch time within ſix kalendar months, and at ſuch place as the perſon to whom the crown of Great Britain and Ireland ſhall deſcend as aforeſaid, ſhall appoint by proclamation, and may act during the reſidue of the ſaid ſix months, and no longer, unleſs the ſame be ſooner prorogued or diſſolved as aforeſaid.

The laſt pagliament may meet.

XLIII. *ſect.* 4. In caſe there is no parliament in being at the time of ſuch death or demiſe, that has met and ſat, the laſt preceding parliament may convene and ſit at ſuch time within ſix kalendar months, and at ſuch place as the perſon to whom the crown of Great Britain and Ireland ſhall deſcend as aforeſaid, ſhall appoint by proclamation, and ſhall be a parliament to continue as aforeſaid, as if the ſame parliament had never been diſſolved, ſubject nevertheleſs to be prorogued and diſſolved as aforeſaid; provided nothing in this act ſhall extend to alter or abridge the power of the King, his heirs or ſucceſſors to prorogue or diſſolve parliaments. *Brit. Stat.* 6 *Ann. cap.* 7.

Suits may be proſecuted in fourteen days.

XLIV. *Stat.* 1 *Geo.* 2. *cap.* 8. *ſect.* 1. Any perſon may commence and proſecute any action or ſuit in any of his Majeſty's courts of record at Dublin, or court of chancery or exchequer, or in the court of admiralty, and in all cauſes matrimonial and teſtamentary in the court of prerogative, conſiſtorial court, courts of delegates, and all courts of appeal, againſt any peer of this realm or lord of parliament, or againſt any of the knights, citizens, and burgeſſes of the houſe of commons, or their menial or other ſervants, or any other perſon intitled to the privilege of parliament, immediately after fourteen days next following the diſſolution or prorogation of any parliament, until fourteen days immediately before a new parliament ſhall meet, or the ſame be reaſſembled.

Courts may proceed.

(2) And the ſaid reſpective courts may at any time after fourteen days next following ſuch diſſolution or prorogation as aforeſaid, and until fourteen days immediately before a new parliament ſhall meet, or the ſame be reaſſembled, proceed to give judgment and to make final orders, decrees and ſentences, and award execution thereupon.

XLV. *ſect.*

XLV. *ſect.* 2. Provided that this act ſhall not extend to ſubject the perſon of any of the knights, citizens, or burgeſſes of the houſe of commons, or any other perſon intitled to the privilege of parliament, to be arreſted for forty days before the beginning or meeting of any parliament, or for the like ſpace after the prorogation or diſſolution of any parliament. Privileged from arreſt.

XLVI. *ſect.* 3. If any perſons ſhall have cauſe of action or complaint againſt any peer of this realm or lord of parliament, ſuch perſons after fourteen days next following any diſſolution or prorogation as aforeſaid, until fourteen days immediately before a new parliament ſhall meet, or the ſame be re-aſſembled, may have ſuch proceſs out of his Majeſty's courts of King's-bench, common-pleas, and exchequer, againſt ſuch peer and lord of parliament, as they might have had againſt him out of the time of privilege. Proceſs againſt peers.

(2) And if any perſons ſhall have cauſe of action againſt any of the knights, citizens, or burgeſſes, or any other perſon intitled to privilege of parliament, ſuch perſons after fourteen days next following any ſuch diſſolution or prorogation as aforeſaid, until fourteen days immediately before the meeting or re-aſſembling of any parliament, may proſecute ſuch perſon in his Majeſty's courts of King's-bench, common-pleas, or exchequer, by ſummons and diſtreſs infinite, or by original bill and ſummons, attachment, and diſtreſs infinite thereupon, to be iſſued out of any the ſaid courts of record, which the ſaid reſpective courts are hereby impowered to iſſue, until they ſhall enter a common appearance, or file common bail to the plaintiffs action, according to the courſe of each court. Members of the houſe of commons.

(3) And any perſons having cauſe of ſuit or complaint, may, in the times aforeſaid, exhibit any bill or complaint againſt any peer of this realm, or lord of parliament, or againſt any of the ſaid knights, citizens, or burgeſſes, or other perſon intitled to the privilege of parliament, in the court of chancery or court of exchequer, and may proceed thereupon by letter or *ſubpæna* as is uſual, and upon leaving a copy of the bill with the defendant, or at his houſe or lodging or laſt place of abode, may proceed thereon. Bills in equity.

(4) And for want of an appearance or anſwer, or for non-performance of any order or decree or for breach thereof, may ſequeſter the real and perſonal eſtate of the party as is uſed and practiſed where the defendant is a peer of this realm, but ſhall not arreſt or impriſon the body of any of the ſaid knights, citizens, and burgeſſes, or other privileged perſons, during the ſpace of forty days immediately before the beginning or meeting of any parliament, or during the like ſpace immediately after the prorogation or diſſolution of any parliament. Sequeſtration of lands, &c.

XLVII. *ſect.* 4. Where any plaintiff ſhall by privilege of parliament be ſtayed or prevented from proſecuting any ſuit by him commenced, ſuch plaintiff ſhall not be barred by any ſtatute of limitation, or nonſuited, diſmiſſed, nor his ſuit diſcontinued for want of proſecution of the ſuit by him begun, but ſhall after fourteen days from the riſing of the parliament be at liberty to proceed to judgment and execution. Plaintiffs may proceed after privilege.

XLVIII. *ſect.* 5. No action, ſuit, proceſs, order, judgment, decree, or proceeding in law or equity, againſt the King's immediate debtor for the recovery of any debt or duty due unto his Majeſty, or againſt any accountant unto his Majeſty, his heirs or ſucceſſors, for any part of their revenues or other immediate debt or duty, or the execution of any ſuch proceſs or proceedings, ſhall be impeached or delayed by privilege of parliament, yet ſo, that the perſons of any ſuch debtor or accountant, being a peer of this realm, or lord of parliament, ſhall not be liable to be arreſted or impriſoned upon any ſuch ſuit, order, judgment, decree, proceſs, or proceeding, or being a member of the houſe of commons, ſhall not during the Suits for the King's debts.

ſpace of forty days before the beginning or meeting of any parliament, or during the like ſpace after the prorogation or diſſolution of any parliament, be arreſted or impriſoned upon any ſuch order, &c.

No new authority to courts.

XLIX. *ſect.* 6. Provided that neither this act, nor any thing therein contained, ſhall extend to give any juriſdiction or authority to any court to hold plea in any real or mixt action, in any other manner than ſuch court might have done before the making of this act. *Eng. Stat.* 12 *Will.* 3. *cap.* 3.

Precepts by Sheriffs in four days.

L. *Stat.* 1 *Geo.* 2. *cap.* 9. *ſect.* 1. The ſheriffs of every county or city, ſhall within four days after they ſhall receive the writ for the elections of any members to ſerve in parliament, iſſue their precepts under their hand and ſeal to the ſeveral boroughs, towns-corporate and manors in their county, which have right to ſend members to parliament, and direct the ſeveral precepts, and cauſe them to be delivered to ſuch acting magiſtrates, or officers of the ſaid boroughs, towns corporate and manors reſpectively, as made the laſt returns of members that ſat in parliament for ſuch reſpective boroughs, towns corporate and manors, be the ſame mayor, ſovereign, portreeve, provoſt, burgo maſter, bailiff or ſeneſchal, and to no other perſons whatſoever.

No fee to be taken for returns, &c.

(2) And the ſheriffs ſhall accept ſuch returns of ſuch precepts from ſuch magiſtrates and officers only to whom they ſo directed and ſent the ſaid precepts reſpectively, by indentures to be made betwixt ſuch ſheriffs and ſuch magiſtrates, or officers of ſuch elections, and of the names of the citizens and burgeſſes choſen, and no fee, gratuity or reward whatſoever ſhall be given or taken by any ſheriff, under-ſheriff, ſheriff's clerk, mayor, ſovereign, portreeve, or other officer of any county, city, or place, for making out, or the delivery, return, or execution of any ſuch writ or precept for the electing members to ſerve in parliament. *Eng. Stat.* 7 & 8 *Will.* 3. *cap.* 25. *ſect.* 1, 2.

Election in twenty one days after precept.

LI. *ſect.* 2. Every chief magiſtrate or officer of any city, borough, town corporate or manor, to whom the ſheriffs ſhall ſo ſend a precept for the electing any members to ſerve in parliament, ſhall hold the election within twenty-one days from the day of his receiving the precept, and ſhall in ſome public place of ſuch city or other town corporate or manor where notices are uſually poſted up, cauſe to be affixed notice under his hand and ſeal, of the time and place of holding ſuch election, four days preceding the election; and in caſe any returning officer ſhall act otherwiſe, or offend herein, he ſhall for ſuch offence forfeit five hundred pounds.

Security to Sheriffs, &c. void.

LII. *Sect.* 3. All contracts, promiſes, bonds and ſecurities, to be made or given to any ſheriff or other returning officer, to indemnifie ſuch ſheriff or other returning officer for making a return of any member to ſerve in parliament, or to pay ſuch ſheriff or returning officer any gratuity or reward for making ſuch return, or otherwiſe in reſpect thereof, ſhall be void; and whoſoever ſhall make, give, or accept, ſuch contract, promiſe, bond, or other ſecurity, or any gift or reward to procure any falſe or double return, ſhall forfeit five hundred pounds, to be recovered and applied as herein after is mentioned. *Eng. Stat.* 7 *Will.* 3. *cap.* 7. *ſect.* 4.

Returns to be made by the day of meeting.

LIII. *ſect.* 4. All ſheriffs who ſhall receive any writ for the election of any member to ſerve in parliament, ſhall on or before the day at which ſuch parliament ſhall be called to meet, make due return of the writ, and of ſuch indentures thereunto annexed as ſhall be returned to them by the proper returning officer as aforeſaid, to the clerk of the crown in the court of chancery, and in default thereof ſhall forfeit to every party thereby aggrieved five hundred pounds, to be recovered as is herein after mentioned. *Eng. Stat.* 10 & 11 *Will.* 3. *cap.* 7.

LIV. *ſect.*

LIV. *ſect.* 5. The clerk of the crown ſhall enter in a book kept for that purpoſe, every ſingle and double return of any members to ſerve in parliament, which ſhall come into his office or to his hands, and alſo every alteration and amendent which ſhall be made in every ſuch return, to which book all perſons ſhall have free acceſs to ſearch and take copies, for which ſearch the ſaid clerk of the crown may take two ſhillings and ſix-pence, and no more, and for every copy the ſaid clerk ſhall give out, he may take two ſhillings and ſix-pence, and no more. Entries of returns by the Clerk of the Crown.

(2) Which book, or a true copy thereof, ſhall be admitted as evidence upon any trial at law, relating to ſuch ſingle or double return, and ſhall have the ſame force as the record of ſuch return would have, and if the clerk of the crown wilfully omit to perform his duty in the premiſſes, he ſhall forfeit for every ſuch offence, to the party grieved, one hundred pounds, to be recovered and applied in ſuch manner as is herein after mentioned. *Eng. Stat.* 7 & 8 *Will.* 3. *cap.* 7. *ſect.* 5. Book to be evidence.

LV. *ſect.* 6. No perſon ſhall be allowed to have a vote at any election of members to ſerve in parliament, by reaſon of any truſt, eſtate, or mortgage, unleſs ſuch truſtee or mortgagee be in the actual poſſeſſion, or receive the profits of the ſame eſtate ſix months before the iſſuing of the writ, but the mortgagor or *ceſtuy que truſt* in poſſeſſion may vote for the ſaid eſtate, notwithſtanding ſuch mortgage or truſt. *Eng. Stat.* 7 & 8 *Will.* 3. *cap.* 25. *ſect.* 7. Truſtees or mortgagees in poſſeſſion.

Part of this ſection, and the ſection which follows it in this act, are omitted, being repealed by Stat. 19 *Geo.* 2. *cap.* 11. *ſect.* 1.

LVI. *ſect.* 8. No papiſt, though not convict, ſhall be intitled or admitted to vote at the election of any member to ſerve in parliament, or at the election of any magiſtrate for any city or other town-corporate. No papiſt to vote.

LVII. *ſect.* 9. No perſon ſhall be intitled or admitted to vote as a freeman at the election of any member to ſerve in parliament, or of any magiſtrate in any city or other town-corporate, where ſuch freeman hath not been free ſix kalendar months before ſuch election, unleſs ſuch freeman came in and was admitted free by ſervice to ſome trade, or by birth-right, or unleſs ſuch perſon was intitled to his freedom, and had demanded the ſame ſix months before ſuch election. Freedom ſix months before an election.

LVIII. *ſect.* 10. All pecuniary penalties inflicted by this act, ſhall be paid to the informer, who ſhall proſecute the offenders to conviction, with full coſts, where ſuch penalties ſhall not exceed one hundred pounds, and of all other pecuniary penalties hereby inflicted, two thirds ſhall be paid to ſuch informer with full coſts, and the other third to the poor of the pariſh or place where the offence ſhall be committed, and the ſaid penalties ſhall be recovered by action of debt. &c, in any of his Majeſty's courts of record at Dublin, and in none of the caſes aforeſaid ſhall any eſſoign, privilege of parliament, or other privilege, protection or wager of law, be allowed, nor any more than one imparlance. Penalties to be paid to informers &c.

LIX. *ſect.* 11. Provided that every information, action, or proſecution grounded upon this act, ſhall be commenced within one year next after the cauſe of action ſhall ariſe or the offence be committed. Action in one year.

LX. *Stat.* 11 *Geo.* 2. *cap.* 5. *ſect.* 1. It ſhall be lawful, during the continuance of the privilege of parliament, to file any original bill in any court of equity, or to ſue out any original writ, without further proceeding on ſuch bill or writ, againſt any perſons intitled to privilege of parliament. Filing original bills.

LXI. *ſect.* 2. No privilege of parliament ſhall be inſiſted upon or allowed in any ſuit or motion for obtaining an injunction to be reſtored to the poſſeſſion of any lands, &c. the poſſeſſion of which has been taken away by force, or has been Suit for injunctions.

been obtained fraudulently by the tenants holding over their terms, or by the tenants betraying the poſſeſſion of their landlords or leſſors, but in every of the ſaid caſes it ſhall be lawful for any perſon diſpoſſeſſed by force as aforeſaid, to proceed for the recovery of their poſſeſſion, in ſuch manner as they might have done had ſuch ſuit or motion been commenced or moved againſt any perſon not intitled to the privilege of parliament.

Suits on replevins.

LXII. *ſect.* 3. It ſhall be lawful, during the time of the continuance of the privilege of parliament, to ſue out and execute any replevins, and proſecute any ſuits thereon againſt any perſons intitled to privilege of parliament, in order to be reſtored to or recover the poſſeſſion of any goods or chattels which may be diſtrained, taken away, or withheld, by any perſons intitled to privilege of parliament as aforeſaid, or by any perſons employed for them, in ſuch manner as they might have done had ſuch ſuit been commenced againſt any perſon not intitled to the privilege of parliament.

Suits againſt Britiſh members of parliament.

LXIII. *Brit. Stat.* 11 *Geo.* 2. *cap.* 24. *ſect.* 1. Any perſon may commence and proſecute in Great Britain or Ireland any ſuit in any court of record or of equity, or of admiralty, and in all cauſes matrimonial and teſtamentary in any court having cognizance, againſt any peer of Great Britain, or againſt any of the knights, citizens and burgeſſes of the houſe of commons of Great Britain, or againſt their menial or other ſervants, or any other perſon intitled to the privilege of the parliament of Great Britain, immediately after the diſſolution or prorogation of any parliament, until a new parliament ſhall meet, or the ſame be re-aſſembled, and immediately after any adjournment of both houſes for above fourteen days, until both houſes ſhall re-aſſemble.

Perſons of members not to be arreſted.

LXIV. *ſect.* 2. This act ſhall not ſubject the perſon of any of the houſe of commons, or any other perſon intitled to privilege of parliament, to be arreſted during the time of privilege; nevertheleſs, it ſhall be lawful for any of the courts of King's-bench, common-pleas, and exchequer in Ireland, after any diſſolution, prorogation, or ſuch adjournment, or before any ſeſſion of parliament, or meeting of both houſes, to uſe ſuch proceeding, and to iſſue the like proceſs againſt any ſuch peer, or againſt any of the ſaid knights, citizens, and burgeſſes, or other perſons intitled to the privilege of the parliament of Great Britain, as the courts of King's-bench, common-pleas, and exchequer in England are, by 12 & 13 *Will.* 3. *cap.* 3. impowered to uſe.

Like proceſs as in Great Britain.

(2) And it ſhall be lawful for the chancery of Ireland, and the court of equity in the exchequer there, to uſe ſuch proceeding, and to iſſue the like proceſs againſt the perſons aforeſaid, as the chancery of Great Britain and the exchequer in England are by the ſaid act impowered to uſe; and it ſhall be lawful for any of the other courts before deſcribed the proceſs whereof is not particularly directed be the ſaid act, or by this act, after any diſſolution, prorogation, or ſuch adjournment as aforeſaid, or before any ſeſſion of parliament, or meeting of both houſes, to iſſue like proceſs againſt any ſuch peer, or any of the ſaid knights, citizens, or burgeſſes, or other perſon intitled to the privilege of parliament, as ſuch courts may now lawfully iſſue againſt perſons not liable to be arreſted.

No barr of actions.

LXV. *Sect.* 3. Where any plaintiff ſhall by privilege of Parliament be ſtayed from proſecuting any ſuit commenced, ſuch plaintiff ſhall not be barred by any ſtatute of limitation, or nonſuited, diſmiſſed, nor his ſuit diſcontinued for want of proſecution, but ſhall upon the riſing of the parliament be at liberty to proceed to judgement and execution.

LXVI. *ſect.*

LXVI. *Sect.* 4. No proceeding in law or equity againſt the King's original and immediate debtor for the recovery of any debt orignally and immediately due unto his Majeſty, or againſt any perſon liable to render account unto his Majeſty for any part of his revenues, or other original and immediate duty, ſhall be ſtayed in any court in Great Britain or Ireland, by privilege of the parliament of Great Britain, yet ſo that the perſon of ſuch debtor or accountant, being a peer of Great Britain, ſhall not be liable to be arreſted upon ſuch ſuit, or being a member of the houſe of commons of Great Britain, ſhall not, during the continuance of the privilege of parliament, be arreſted upon any ſuch proceedings. Debts to the King. Peers not to be arreſted.

LXVII. *ſect.* 5. This act ſhall not give juriſdiction to any court to hold plea in any real or mixt action, in other manner than ſuch court might have done before. No new juriſdiction to courts.

LXVIII. *Stat.* 19 *Geo.* 2. *cap.* 11. *ſect.* 1. *Part of the act,* 1 *Geo.* 2. *cap.* 9. *recited in this clauſe, relative to entries of memorials of deeds, whereby freeholds are granted, with the clerks of the peace, &c.* ſhall be repealed. Repeal of part of 1 G. 2. c. 9.

LXIX. *ſect.* 2. Every freehold of the yearly value of forty ſhillings, and under ten pounds *per annum*, ſhall at ſome quarter-ſeſſions after the paſſing this act, and before the election at which any freeholder ſhall offer himſelf to vote, be regiſtred ſix months before the election in manner following, that is to ſay, every ſuch freeholder ſhall in open court before the juſtices of the peace at the quarter-ſeſſions for the county where ſuch freehold lieth, make the following affidavit, or if a quaker, the following affirmation. Regiſtry of freeholds.

N. N. *of* A. *in the county of* B. *maketh oath or affirmeth, as the caſe ſhall be, that he hath a freehold of the clear yearly value of forty ſhillings, lying and being at* C. *in the county of* D. Oath.

(2) Which affidavit or affirmation, when duly ſworn or affirmed, ſhall be read, allowed in open court, and delivered by order of the court to the acting clerk of the peace of the ſaid county, to be filed and kept amongſt the records, and the acting clerk of the peace ſhall immediately write in a book to be by him kept in an alphabetical order for that purpoſe, the following entry or regiſtry N. N. *of* A. *in the county of* B. *hath regiſtred his freehold, lying at* G. *in this county, this day of in the year of our Lord* ; for which affidavit or affirmation entry or regiſtry ſix-pence and no more ſhall be paid by ſuch freeholder to the perſon acting as clerk of the peace at the time of ſuch regiſtry; and in caſe ſuch freehold ſhall not have been ſo regiſtred ſix calendar months before the election, ſuch freeholder ſhall not be intitled to vote for ſuch freehold at ſuch election. Entry by the clerk of the peace.

LXX. *ſect.* 3. The acting clerk of the peace ſhall on or before the laſt day of every ſeſſions, deliver to the treaſurer of the ſaid county, a true copy of ſuch entry and regiſtry ſo by him from time to time made, which copy ſhall be kept by the ſaid treaſurer amongſt the accounts of the ſaid county. Copies of entry.

LXXI. *ſect.* 4. Inſtead of the oath appointed by *Stat.* 2. *Geo.* 1. *cap.* 19. to be taken by every freeholder before he is admitted to poll at ſuch election, if required by any of the candidates, or any other perſon having a right to vote at ſuch election, the oath *mentioned in this act* or affirmation, as the caſe ſhall be, ſhall be taken, if required, in manner therein mentioned. Oath of freeholders altered.

The oath appointed by this clauſe to be taken, is altered by the ſubſequent ſtatute, 21 *Geo.* 2. *cap.* 10.

LXXII. *ſect.* 5. No perſon ſhall vote at any election of a member to ſerve in parliament by virtue of any freehold of which he ſhall not be in poſſeſſion, or ſhall not have received the profits, or be intitled to receive the ſame before the vacancy happened, Poſſeſſion of freehold before vacancy.

to

to ſupply which the election ſhall be then held, unleſs ſuch lands, &c. came to ſuch perſon within the time aforeſaid, by deſcent, marriage, or marriage-ſettlement, deviſe, or preſentation to ſome benefice in the church, or by promotion to ſome office unto which ſuch freehold is annexed, or unleſs ſuch vacancy happened ſix calendar months before ſuch election.

Freedom before vacancy.

LXXIII. *ſect.* 6. No perſon ſhall be admitted to vote as a freeman at the election of any member to ſerve in parliament, who ſhall not be free before the vacancy happened, to ſupply which the election ſhall be then held, unleſs ſuch freeman came in free by ſervice to ſome trade, or by birth right, or unleſs ſuch vacancy happened ſix calendar months before ſuch election; and if any perſon ſhall vote contrary to the expreſs words herein contained, he ſhall forfeit ten pounds to each candidate at ſuch election.

Freehold by deſcent, &c.

LXXIV. *Stat.* 21 *Geo.* 2. *cap.* 10. *ſect.* 1. No perſons ſhall be qualified or received to vote at any election of members to ſerve in parliament, by virtue of any freehold or freedom granted or obtained after the vacancy happened, to ſupply which the election ſhall be then held, unleſs ſuch freehold came by deſcent, marriage, or marriage-ſettlement, deviſe, or preſentation to ſome benefice in the church, or by promotion to ſome office unto which ſuch freehold is annexed, or unleſs ſuch freedom came by ſervice to ſome art or by birth-right.

Freedom by ſervice.

Rent-charge one year before vacancy.

LXXV. *ſect.* 2. No perſon ſhall be permitted to vote at any election for members to ſerve in parliament by virtue of any rent-charge under ten pounds *per annum*, who has not actually received for his own uſe ſuch rent-charge, at leaſt one year before the vacancy happened, to ſupply which, he ſhall then tender his oath.

Oath to be taken by voters.

LXXVI. *ſect.* 3. Every perſon when required ſhall inſtead of the oath preſcribed by the act 19 *Geo.* 2. *cap.* 11. before he be permitted to vote, ſwear, or if a quaker affirm, in manner following.

Tenor of the oath.

I A. B. *do ſwear, or do ſolemnly and truly affirm, that I am a freeholder, and have freehold eſtate in lands, tenements, or hereditaments, or in rent, as the caſe ſhall happen, ariſing out of lands, tenements, or hereditaments lying or being at in the county of of the clear yearly value of ten pounds, or of forty ſhillings as the caſe ſhall happen to be, above all charges payable out of the ſame, and that I believe the ſame may be ſo let to a reſponſible tenant, and that I did not accept of ſuch freehold eſtate fraudently, or on purpoſe to qualify me to give my vote at this election, and that I did not except the ſaid freehold by way of barter or exchange for a freehold of equal value in any other county, and that the ſaid freehold was not made, given, or granted to me ſince the preſent vacancy happened, or that the ſame did come to me by deſcent, marriage, marriage-ſettlement, deviſe, or promotion to an office or benefice, and that the place of my abode is at and that I have not been polled before at this election, and that I am not a papiſt, or married to a papiſt, and that I do not educate or ſuffer to be educated, any of my children under the age of fourteen years in the popiſh religion.*

So help me God.

Caſes of rent-charges.

LXXVII. *ſect.* 4. Where any perſon ſhall tender his vote at any election for members to ſerve in parliament, by virtue of any rent-charge granted to him, the words, *and that I believe the ſame may be ſo let to a reſponſible tenant*, ſhall be left out, and the following words ſhall be added to the oath herein before mentioned; And,

I A. B.

I A. B. *do ſwear, or do ſolemnly and truly affirm, that I have received the ſaid rent-charge to my own uſe, one year at leaſt before this preſent vacancy*, and if the ſaid rent-charge came to him by grant, *that the ſaid rent-charge was granted to me at leaſt one year before the preſent vacancy happened.*

(2) Which oath or affirmation ſo made ſhall be concluſive evidence to the ſheriff, that the perſon ſo making the ſame is qualified to vote at ſuch election, provided that no fee-farm rent, ſhall be deemed a rent-charge within the meaning of this act. Concluſive to the ſheriff.

LXXVIII. *ſect.* 5. All freeholders regiſtered at any quarter-ſeſſions held by adjournment, ſhall be adjudged to be well regiſtered, as if the ſame had been regiſtered before any adjournment of the ſeſſions, provided that every ſuch adjourned ſeſſions be held in open court, where the ſeſſions have been uſually held, or in the court where the aſſiſes are uſually held, and not elſewhere. Regiſtry at adjournment.

LXXIX. *ſect.* 6. Where any perſon who was educated in the popiſh religion, and ſhall have conformed to the church of Ireland as by law eſtabliſhed, ſhall tender his vote at any election for members to ſerve in parliament, the words following in the oath herein before mentioned, ſhall be omitted, to wit, *I am not married to a papiſt*, and inſtead thereof ſhall be inſerted, *that I was educated in the popiſh religion, and have conformed to the church of Ireland as by law eſtabliſhed, and have not ſince my conformity married a popiſh wife.* Perſons conforming to the church.

LXXX. *ſect.* 7. All perſons who ſhall falſly and wilfully ſwear and affirm contrary to the intent of this act, being thereof convicted, ſhall incur all the penalties and diſabilities that perſons convicted of wilful and corrupt perjury, are ſubjected unto by law. Swearing falſly.

LXXXI. *Stat.* 3 *Geo.* 3. *cap.* 13. *ſect.* 1. *Whereas it is found by experience that the laws already in being have not been ſufficient to prevent corrupt and illegal practices, in the election of members to ſerve in parliament; for remedy therefore of ſo great an evil, and to the end that all elections of members to parliament may hereafter be freely and indifferently without charge or expence:* upon every election of any member or members to ſerve for the commons in parliament, every freeholder, citizen, freeman, burgeſs, or perſon, having, or claiming to have a right to vote or be polled at ſuch election, ſhall before he is admitted to poll at the ſame election take the following oath (or being of the people called quakers, ſhall make the ſolemn affirmation appointed for quakers) in caſe the ſame ſhall be demanded by either of the candidates, or any two of the electors: (that is to ſay) Preamble. Oath to be taken by voters.

I A. B. *do ſwear (or being of the people called quakers, I* A. B. *do ſolemnly affirm) I have not received or had by my ſelf, or any perſon whatſoever in truſt for me, or for my uſe and benefit, or for the uſe and benefit of any of my family or kindred, to my knowledge or belief, directly or indirectly, any ſum or ſums of money, office, place, or employment, gift or reward, or any promiſe or ſecurity for any money, office, employment or gift, in order to give my vote at this election, and that I have not before been polled at this election.* Tenor of the oath.

LXXXII. *ſect.* 2. The officer or officers preſiding at ſuch elections, ſhall appoint a juſtice of the peace for the purpoſe of adminiſtring the ſaid oath or affirmation in open court, ſo as the poll ſhall not be thereby retarded, and the ſaid juſtice ſhall, in the preſence of four or more perſons to be nominated by each candidate, adminiſter the ſaid oath to every elector before ſuch elector ſhall be admitted to poll, if the ſame ſhall be demanded as aforeſaid. Juſtice to be appointed to adminiſter the oath.

Officers refuſing to appoint.

(2) And if the officers preſiding at ſuch election ſhall refuſe to appoint a juſtice of the peace for the purpoſe aforeſaid, or if the ſaid juſtice ſhall refuſe to adminiſter the ſame *gratis*, if demanded as aforeſaid, ſuch officer, or juſtice of the peace, ſhall forfeit fifty pounds to any perſon that ſhall ſue for the ſame, to be recovered, together with full coſts of ſuit, by action of debt, bill, plaint, or information, in any of his Majeſty's courts of record in Dublin, wherein no eſſoign, &c. ſhall be allowed.

Not to be admitted to poll before ſwearing.

(3) And no perſon ſhall be admitted to poll till he *had* taken and repeated the ſaid oath in a publick manner, in caſe the ſame ſhall be demanded as aforeſaid, before ſuch juſtice of the peace as ſhall be deputed.

Penalty on returning officer.

LXXXIII. *ſect.* 3. If any ſheriff, mayor, bailiff, or other returning officer, ſhall admit any perſon to be polled without taking ſuch oath or affirmation, if demanded as aforeſaid, ſuch returning officer ſhall forfeit one hundred pounds, to be recovered in manner aforeſaid, together with full coſts of ſuit; and if any perſons ſhall vote or poll at ſuch election without having firſt taken the oath, or if a quaker, having made his affirmation, if demanded as aforeſaid, ſuch perſon ſhall incur the ſame penalty, which the officer is ſubject to for the offence above mentioned.

Oath of returning officer.

LXXXIV. *ſect.* 4. Every ſheriff, mayor, bailiff, ſeneſchal, or other perſon, being the returning officer of any member to ſerve in parliament, ſhall immediately after the reading of the writ or precept for the election of ſuch member, take and ſubſcribe the following oath.

Form of the oath.

I A. B. *do ſolemnly ſwear, that I have not directly or indirectly received any ſum or ſums of money, office, place, or em loyment, gratuity, or reward, or any bond, bill, or note, or any promiſe or gratuity whatſoever, either by my ſelf or any other perſon to my uſe, or benefit, or advantage, or to the uſe, benefit, or advantage of any of my family or kindred, or to my knowledge or belief, for making any return at the preſent election of members to ſerve in parliament, and that I will return ſuch perſon or perſons as ſhall, to the beſt of my judgment, appear to me to have the majority of legal votes.*

Adminiſtering the oath.

(2) Which oath any juſtices of the peace of the ſaid county, city, corporation, or borough, where ſuch election ſhall be made, or in their abſence, any three of the electors are *thereby* required and authorized to adminiſter, and ſuch oath ſo taken ſhall be entered among the records of the ſeſſions of ſuch county, city, corporation, and borough as aforeſaid.

Protracting elections.

LXXXV. *ſect.* 4. *And whereas the laws now in force, relating to the electing of members to ſerve in parliament for the ſeveral boroughs in this kingdom, where the right of voting is veſted in the proteſtant inhabitants in general of ſuch boroughs, have by experience been found very defective, and thereby elections in ſome of ſuch boroughs have been protracted to an unreaſonable length of time, to the great detriment of both candidates and electors: for remedy whereof,* no perſon ſhall be admitted to vote on any election, for any member to ſerve in parliament for any borough in this kingdom, where the right of voting is veſted in the proteſtant inhabitants in general, until ſuch perſon ſo tendring his vote, in caſe of any objection made thereto by any of the candidates or their agents, ſhall take the following oath, or if a quaker, affirmation: that is to ſay,

Oath to be taken by inhabitants.

Form of the oath.

I A. B. *do ſwear, or if a quaker, do affirm, that I am an inhabitant of* (here naming the place where ſuch election is) *and have been ſo for theſe ſix months laſt paſt, and that I am not, nor have not within theſe ſix months laſt paſt, been an inmate or lodger, with any other perſon in ſaid borough, but have paid the uſual taxes and ceſſes*

in

in ſaid borough as a houſeholder, and that I did not come to reſide in ſaid borough ſince the preſent vacancy happened, and that I am not a papiſt, nor married to a papiſt, and do not educate, or ſuffer to be educated, any of my children in the popiſh religion.

(2) Which oath or affirmation the ſeneſchal or returning officer of ſuch borough is directed to adminiſter to ſuch voter, at the requeſt of any of the candidates or their agents, and on ſuch voter ſo taking the ſaid oath, (or if a quaker, the ſaid affirmation) then, and not before, the ſaid ſeneſchal, or returning officer, ſhall take down ſuch vote, and the ſaid oath, or affirmation, (if a quaker) ſhall be final and concluſive to the ſaid ſeneſchal, or returning officer of ſuch borough, and every ſuch voter ſhall not be liable to any further ſcrutiny or examination whatſoever before ſuch ſeneſchal or returning officer, on any ſuch election. Returning officer to adminiſter the oath.

LXXXVI. *ſect.* 6. If any returning officer, elector, or perſon taking the oath or affirmation herein before mentioned, ſhall be guilty of wilful and corrupt perjury, or of falſe affirming, and be thereof convicted by due courſe of law, *he* ſhall incur and ſuffer the pains and penalties, which by law are enacted and inflicted in caſes of wilful and corrupt perjury. Wilful and corrupt perjury.

LXXXVII. *ſect.* 7. No perſon convicted of wilful and corrupt perjury, or ſubornation of perjury, ſhall after ſuch conviction be capable of voting in any election of any member to ſerve in parliament. Incapacity after conviction.

LXXXVIII. *ſect.* 8. If any perſon who hath, or claimeth to have, or hereafter ſhall have, or claim to have, any right to vote in any ſuch election, ſhall aſk, receive, or take any money or other reward, by way of gift, loan, or other device, or agree or contract for any money, gift, office, employment, or other reward whatſoever, for himſelf or any of his family or kindred, to give his vote, or to refuſe or forbear to give his vote in any ſuch election, or if any perſon by himſelf, or any perſon employed by him, doth or ſhall by any gift or reward, or by any promiſe, or agreement, or ſecurity for any gift or reward, corrupt or procure any perſon to give his vote or votes, or to forbear to give their votes in any ſuch election, ſuch perſon ſo offending in any of the caſes aforeſaid, ſhall, for every ſuch offence forfeit five hundred pounds *ſterling*, to be recovered as before directed, together with full coſts of ſuit. Taking or giving bribes or rewards

(2) And every perſon offending in any of the caſes aforeſaid, from and after judgment obtained againſt him in any ſuch action of debt, bill, plaint, or information, or ſummary action, or proſecution, or being any otherwiſe lawfully convicted thereof, ſhall for ever be diſabled to vote in any election of any member to parliament, and alſo ſhall for ever be diſabled to hold, exerciſe, or enjoy, any office or franchiſe, to which they then ſhall, or at any time afterwards may be intitled as member of any city, borough, or town corporate, as if ſuch perſon was naturally dead. Diſabilities after conviction.

LXXXIX. *ſect.* 9. If any perſon who hath or claimeth to have, or hereafter ſhall have or claim to have, any right to vote in any election for magiſtrates in any city or town corporate in this kingdom, ſhall after the firſt day of June, 1764, aſk, receive, or take any money or other reward, by way of gift, loan, or other device, or agree or contract for any money, gift, office, employment, or other reward whatſoever, for himſelf or any of his family or kindred, to give his vote, or to refuſe or forbear to give his vote in any ſuch election, or of any perſon by himſelf, or any perſon employed by him, ſhall by any gift or reward, or by any promiſe, or agreement, or ſecurity for any gift or reward, corrupt or procure any perſon to give their vote, or to forbear to give their vote in any ſuch election, ſuch perſon offending in any of the caſes aforeſaid, ſhall, for every ſuch offence forfeit fifty pounds ſterling, to be recovered as before directed, together with full coſts of ſuit. Penalty of fifty pounds.

Offenders diſabled to vote after conviction.

(2) And every perſon offending in any of the caſes aforeſaid, after judgment obtained againſt him in any ſuch action of debt, bill, plaint or information, or ſummary action, or proſecution, or being any otherwiſe lawfully convicted thereof, ſhall for ever be diſabled to vote in any election, and alſo ſhall for ever be diſabled to hold, exerciſe, or enjoy, any office or franchiſe, to which they then ſhall, or at any time afterwards may, be intitled as a member of any city, borough, or town corporate, as if ſuch perſon was naturally dead.

This act to be read at elections.

XC. *ſect.* 10. *And for the more effectual obſervance of this act*, all ſheriffs, mayors, and other officers, to whom the execution of any writ, or precept, for electing any member to ſerve in parliament, ſhall belong or appertain, are required at the time of ſuch election, immediately after the reading ſuch writ or precept, to read or cauſe to be read openly, before the electors there aſſembled, this preſent act, and every clauſe therein contained.

Lent aſſizes, and elections of magiſtrates, &c.

(2) And the ſame ſhall alſo openly be read once in every year, at the lent aſſiſes, to be held in every county, county of a city, or county of a town, and at the general quarter ſeſſions of the peace, to be holden next after Eaſter, for the city of Dublin, and at every election of the chief magiſtrate in any city, borough, or town corporate.

Penalty on ſheriffs, magiſtrates, &c.

XCI. *ſect.* 11. Every ſheriff, under ſheriff, mayor and other officer, to whom the execution of any writ or precept, for the electing of members to ſerve in parliament, doth belong, for every wilful offence contrary to this act, ſhall forfeit five hundred pounds, to be recovered, together with full coſts of ſuit in the manner before directed.

Proſecution within two years.

XCII. *ſect.* 12. Provided that no perſon ſhould be made liable to any incapacity, diſability, forfeiture, or penalty by this act laid or impoſed, unleſs proſecution be commenced within two years after ſuch incapacity, diſability, forfeiture, or penalty ſhall be incurred, or in caſe of a proſecution, the ſame ſhall be carried on without delay.

Partition and parceners.

Writ of *mortdaunceſtor*.

I. *Eng. Stat.* Glouc. 6 *Edw.* 1. *cap.* 6. If a man die having many heirs, of whom one is ſon or daughter, brother or ſiſter, nephew or niece, and the other of a further degree, all the heirs ſhall recover by a writ of Mortdaunceſtor.

Jointenants and tenants in common.

II. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 10. *ſect.* 1. All jointenants and tenants in common of any eſtates of inheritance in their own rights, or in the right of their wives, ſhall be compelled to make partition between them of all ſuch lands, as they ſhall hold as jointenants, or tenants in common, by writ *de participatione facienda*, to be deviſed in the court of chancery, in like manner as coparceners by the common laws of this land, are compellable to do, and the ſame writ to be purſued at the common law.

Aid after partition.

III. *ſect.* 2. Every of the ſaid jointenants or tenants in common, and their heirs, after ſuch partition made, ſhall have aid of the other, or of their heirs, to deraign the *garraunt paramount*, and to recover for the rate as is uſed betwixt coparceners after partition made by order of the common law. *Eng. Stat.* 31 *Hen.* 8. *cap.* 1.

Tenants compellable to make partition.

IV. *ſect.* 3. All jointenants, and tenants in common, which ſhall hold jointly or in common for term of life or years, or jointenants or tenants in common, where ſome of them ſhall have eſtates for term of life or years, with the other that ſhall have eſtates of inheritance, or freehold in any lands, ſhall be compellable by writ of partition, to be purſued out of the court of chancery upon their caſe, to make partition of all ſuch lands.

V. *ſect.*

V. *ſect.* 4. No ſuch partition to be made by force of this act ſhall be prejudicial to any perſons other than ſuch which be parties or privy unto the ſaid partition. *Eng. Stat.* 32 *Hen.* 8. *cap.* 32.

VI. *Stat.* 9 *Will.* 3. *cap.* 37. *ſect.* 1. After proceſs of ſummons or attachment upon any writ of partition returned, and affidavit made thereupon by any credible perſon, that due notice in writing hath been given of the ſaid writ to the tenants to the action, and a copy thereof left with the occupier or tenants in poſſeſſion of the lands, or if they cannot be found, then to the wife, ſon, or daughter, being of the age of one and twenty years, of ſuch tenants to the action, or tenant in actual poſſeſſion of the ſaid lands, &c. whereof the partition is demanded, unleſs the tenant in actual poſſeſſion be demandant in the action, at the leaſt forty days before the day of the return of the ſaid ſummons or attachment, if the tenants to ſuch writ, or tenant in poſſeſſion to the lands, ſhall not within the term after return of ſuch writ of ſummons or attachment, or the term following, cauſe an appearance to be entered, in default of ſuch appearance, the demandant having filed his declaration, the court ſhall proceed to examine the title of the demandant ſet forth in his declaration, and the quantity of his *purpart* of the ſaid lands, and according as they ſhall find his right part and *purpart* to be, they ſhall for ſo much cauſe judgment by default, to be entered for the demandant, and thereupon award a writ to make partition, whereby ſuch *purpart* may be ſet out to him in ſeveralty; of which writ of execution notice ſhall be given to the occupier or tenants of the lands, at leaſt ſix days before the execution thereof, and the ſame being after ſuch notice duly executed and returned, and final judgment thereupon entered, the ſame ſhall be concluſive to all perſons, and to the ſeveral rights which they ſhall claim in any of the lands, &c. mentioned in the ſaid judgment and writ of partition, although all perſons concerned are not named in the proceedings thereupon, nor the title of the tenants to the ſaid writ truely ſet forth.

Proceſs of ſummons, &c.

Default of appearance.

Notice to tenants

Judgment concluſive.

VII. *ſect.* 2. Provided that if ſuch tenants or perſon concerned againſt whom or their title ſuch judgment by default is given, ſhall within the ſpace of one year after the firſt judgment entered, or in caſe of infancy, coverture, *non ſane memorie*, or abſence out of the kingdom, within one year after their return, or the determination of ſuch inability, apply by motion to the court where ſuch judgments are entered, and ſhew good and probable matter in bar of ſuch partition, or that the demandant hath not title to ſo much as he hath recovered, the court may ſuſpend or ſet aſide ſuch judgment and admit the tenants to appear and plead, and the cauſe ſhall proceed as if no ſuch judgment had been given.

Setting aſide judgment.

(2) And if the court upon hearing thereof, ſhall adjudge for the firſt demandant, then the ſaid firſt judgment ſhall ſtand confirmed, and be good againſt all perſons whatſoever, except ſuch other perſons as ſhall be abſent or diſabled as aforeſaid, and the perſons ſo appealing ſhall be awarded to pay coſts.

Coſts to demandants.

(3) Or if within ſuch times the tenants, or perſons concerned, admitting the demandant's title or *purparts*, ſhall yet ſhew to the court any inequality in the partition, the court may award a new partition to be made, in preſence of all parties concerned if they will appear, which ſecond partition returned and filed, ſhall be good againſt all perſons except as before excepted.

New partition.

VIII. *ſect.* 3. No plea in abatement ſhall be admitted in any ſuit for partition, nor ſhall the ſame be abated by reaſon of the death of any tenants thereunto.

No plea in abatement.

IX. *ſect.* 4. When the high ſheriff, by reaſon of diſtance, infirmity, or any other hindrance, cannot conveniently be preſent at the execution of any judgment

Execution of writs.

in partition, the under-ſheriff in preſence of two juſtices of the peace of the county, where the lands to be divided do lie, ſhall proceed to execution of any writ of partition by inquiſition, as if the high ſheriff were preſent.

Return by the high ſheriff.

(2) And the high ſheriff thereupon, ſhall make the ſame return as if he were perſonally preſent at ſuch execution; and in caſe ſuch partition be made, returned, and filed, they that were tenants of any of the lands, &c. or any *purpart* thereof, before they were ſo divided, ſhall continue tenants for ſuch parts ſet out ſeverally to the reſpective owners thereof, under the ſame rents, covenants, and reſervations.

Owners of *purparts*.

(3) And the owners of the ſeveral *purparts*, ſo divided, ſhall warrant and make good unto their reſpective tenants the ſaid parts ſeverally after ſuch partition, as they were bound to do by any leaſe or grant of their reſpective parts before partition made, and in caſe any demandant be tenant in actual poſſeſſion to the tenant to the action, for his part and proportion, or any part thereof in the lands to be divided, the ſaid tenants ſhall be poſſeſſed of the ſaid *purparts* for the like term, and under the ſame conditions and covenants, when it is ſet out in ſeveralty.

Coſts and damages for non-attendance.

X. *ſect.* 5. The reſpective ſheriffs, their under-ſheriffs, and deputies, and in caſe of diſability in the high ſheriff, all juſtices of the peace within their diviſions, ſhall after convenient notice give due attendance to the executing ſuch writ of partition, unleſs reaſonable cauſe be ſhewn to the court, upon oath, and allowed of, or otherwiſe be liable every of them to pay unto the demandant ſuch coſts and damages as ſhall be awarded by the court, not exceeding five pounds, for which the demandant or plaintiff may bring his action in any of his Majeſty's courts of record at Dublin, wherein no eſſoign, &c. ſhall be allowed.

Fees to be awarded for attendance

(2) And in caſe the demandant do not agree to pay unto the ſheriff or under-ſheriff, juſtices, and jurors, ſuch fees as they ſhall reſpectively demand for their pains and attendance in the execution of the ſame, and returning thereof, the court ſhall award what each perſon ſhall receive, having reſpect to the diſtance of the place from their reſpective habitations, and the time they muſt neceſſarily ſpend about the ſame, for which they may ſeverally bring their actions as aforeſaid. *Eng. Stat.* 8 & 9 *Will.* 3. *cap.* 31.

This act is made perpetual by Stat. 6 *Ann. cap.* 3.

The act 9 Will. perpetual.

XI. *Stat.* 6 *Ann. cap.* 3. *ſect.* 1. The ſtatute 9 *Will.* 3. *cap.* 37. and all the clauſes in the ſame ſhall continue in force for ever.

Aid as at common law.

XII. *ſect.* 2. Provided that every jointenant, or tenant in common, and their heirs, after partition made, ſhall have aid of the other or of their heirs, to deraign the warranty *paramount*, and to recover for the rate as is uſed between coparceners after partition made by the common law.

Partnerſhips.

Preamble.

I. *Brit. Stat.* 6 *Geo.* 1. *cap.* 18. *ſect.* 18. *Whereas ſeveral projects have been publickly attempted to be practiſed within this kingdom, and alſo in Ireland, &c. which tend to the prejudice of great numbers in their commerce and affairs, and the perſons who attempt ſuch projects do preſume to open books for publick ſubſcriptions, which projects do relate to fiſheries and other affairs wherein the commerce and welfare of great numbers are concerned, and in many caſes the undertakers or ſubſcribers have preſumed to act, as if they were corporate bodies, and have pretended to make their ſhares in ſtocks tranſferrable without any legal authority, either by act of parliament or by any charter from the crown, and in ſome caſes have pretended to act under ſome charter formerly*

formerly granted for ſpecial purpoſes, but have endeavoured to uſe the ſame for raiſing joint ſtocks, and for transfers which were never intended by the ſame charters, and in ſome caſes the undertakers or ſubſcribers have acted under obſolete charters, although the ſame became void or voidable by nonuſer *or* abuſer *for want of making lawful elections, which were neceſſary for the continuance thereof*; all attempts, and all undertakings by public ſubſcriptions relating to fiſheries and other affairs of trade, and acting as corporate bodies without charter, or under charters intended for other purpoſes, or under obſolete charters, and tending to the common grievance of his Majeſty's ſubjects in their trade, and all public ſubſcriptions, receipts, payments, transfers, and other things for proceeding in ſuch undertaking, and particularly the acting as a corporate body by raiſing transferrable ſtocks, the transferring any ſhare in ſuch ſtocks without legal authority, and all acting under any charter formerly granted for particular purpoſes therein expreſſed, by perſons who ſhall uſe or endeavour to uſe the ſame charters for raiſing a capital ſtock, or for making tranſfers of ſuch ſtock, not intended by ſuch charter to be raiſed or transferred, and all acting under any obſolete charter, become void or voidable, by *nonuſer* or *abuſer*, or for want of making lawful election, ſhall be deemed illegal and void. Publick ſubſcriptions, &c. void nd illega'.

II. *ſect.* 19. All ſuch unlawful undertakings, and all proceedings therein, ſhall be deemed public nuſances, and all offenders therein being convicted upon information or indictment in any of his Majeſty's courts of record at Weſtminſter, Edinburgh, or Dublin, ſhall be liable to ſuch puniſhments whereto perſons convicted for public nuſances are by any laws of this realm liable, and ſhall moreover incur ſuch further pains, &c. as were provided by the ſtatute of proviſion and *premunire*. 16 *Ric.* 2. *cap.* 5. Publick nuſances.

III. *ſect.* 20. If any merchant or trader ſhall ſuffer any particular damage by occaſion of any undertaking, &c. by this act declared unlawful, he ſhall have his remedy by action on this ſtatute, in any of his Majeſty's courts of record aforeſaid, and ſhall recover treble damages with coſts. Action for damages.

IV. *ſect.* 21. If any broker, or perſon acting as a broker, for himſelf, or in behalf of any others, ſhall bargain, ſell or buy, or contract for any ſhare or intereſt in any of the undertakings hereby declared unlawful, he ſhall not only be diſabled to act as a broker, but ſhall alſo forfeit 500*l.* one moiety to the King, and the other to the informer with coſts. Brokers contracting for ſhares.

V. *ſect.* 25. This act ſhall not reſtrain the carrying on of any home or foreign trade in partnerſhip, except only as to the inſuring of ſhips, and lending money on bottomry. Trade in partnerſhip.

VI. *ſect.* 27. Nothing in this act ſhall extend to any corporation formerly erected for the carrying on a trade, which they have publickly continued to exerciſe, or to ſubſcriptions for enlarging the capital ſtock of the South Sea company. Former corporations.

VII. *Stat.* 15 *Geo.* 2. *cap.* 7. *ſect.* 1. If any number of perſons, not exceeding nine, ſhall enter into a contract of partnerſhip, by writing under their hands and ſeals, for the opening and working of any coal mines, or other mine, or mineral, or for carrying on of any trade or manufacture by a common ſtock, not exceeding ten thouſand pounds in the whole at any one time during the continuance of the ſaid partnerſhip. Companies for working mines.

(2) And if any of ſuch partners, or their executors, adminiſtrators, or aſſigns, and if the guardian or truſtee of any partners being under age, ſhall neglect to pay into the joint ſtock ſuch proportion or *quota* of any ſums, as they ſhall be liable to by the articles of ſuch partnerſhip, for three kalendar months after any ſuch partners, or their executors, adminiſtrators, or aſſigns, or the ſpace of nine months Payments into the joint ſtock.

next

next after any ſuch guardians, or truſtees of ſuch minors, ſhall be ſerved with a notice in writing for that purpoſe, ſigned by the major part of the partners, or ſuch perſons as ſhall be authorized for that purpoſe, by the original deeds of partnerſhip, or in purſuance of the ſame, it ſhall be lawful for ſuch major part of the partners, or other perſons authoriſed by the original deeds of partnerſhip, or in purſuance thereof, to expoſe to ſale by publick cant to the higheſt bidder, ſuch ſhare or proportion of ſuch partners ſo refuſing or neglecting to pay the ſum charged upon them.

Notice in the Gazette.

VIII. *ſect.* 2. Provided that notice ſhall be firſt given, eight ſeveral times ſucceſſively, by advertiſement in the Dublin Gazette of the time and place of every ſuch ſale, and alſo that the money ariſing from every ſuch ſale ſhall be paid over to ſuch perſons as ſhall be intitled to ſuch ſhares at the reſpective times of every ſuch ſale, the expences of the ſaid advertiſements and ſale, and ſuch rateable part of all debts affecting the joint ſtock, as ſhall be due at the time of ſuch ſale being firſt deducted.

Shares of perſons under age.

IX. *ſect.* 3. If any ſhare in ſuch trade or manufacture ſhall become the property of any perſons under age, the guardians or truſtees of ſuch perſons ſhall be impowered to go on with the ſaid trade or manufacture, and to pay into the joint ſtock, that proportion of ſuch ſums as the perſons ſo under age, and as a partner in the ſaid trade or manufacture, ſhall be liable to, and it may be in the power of ſuch guardians or truſtees, to diſpoſe of to the beſt advantage ſuch ſhare in any ſuch trade or manufacture, and ſuch guardians or truſtees ſhall be accountable to ſuch perſons when they come to full age, for any gain or profit ariſing either by that ſale, or carrying on of the ſaid ſtock.

Six months allowed to guardians,

X. *ſect.* 4. Such guardian or truſtees ſhall be allowed ſix calendar months to make their election, whether they will continue the infant ſtock in ſuch partnerſhip, or ſell out the ſame, and ſhall at the end of the ſaid ſix months ſignify the ſame in writing to the reſt of the partners or proprietors of the partnerſhip ſtock.

Partners exceeding nine, or ſtock exceeding 10000 l.

XI. *ſect.* 5. If any ſuch partners or perſons deriving any right under the ſaid partnerſhip, ſhall make any transfer or aſſignment of any ſhare or part thereof, or declare any truſt of any ſhare or part thereof, to or for any number of perſons exceeding nine, or ſhall open any books for ſubſcriptions to be made by any number of perſons exceeding nine, in order to the raiſing any ſums of money, under pretence of carrying on the ſaid partnerſhip, or ſhall by themſelves, their agents, or ſervants, receive any ſums of any number of perſons, exceeding in the whole the number of nine, for ſuch or the like purpoſes of a partnerſhip, or ſhall preſume to act as a corporate body, or ſhall divide the ſaid partnerſhip ſhares into any number exceeding nine, or in caſe the ſaid partnerſhip ſtock ſhall become veſted in, or in truſt for more than nine perſons, or their repreſentatives, at any one time reckoning, executors and adminiſtrators, as the ſingle perſon whom they repreſent as to ſuch intereſt as they ſhall be intitled to in right of their teſtator or inteſtate, or if by any means or device the partnerſhip or capital ſtock ſhall be increaſed to above the ſum of ten thouſand pounds, in any the ſaid caſes, no advantage of the powers in this act mentioned, ſhall remain to ſuch partners, but as to them this act ſhall be void.

Patents.

Advowſons to be mentioned.

I. *Eng. Stat.* Prereg. Reg. 17 *Edw.* 2. *cap.* 15. When the King granteth a manor or land with the appurtenances, except he make expreſs mention of advowſons of churches, the king reſerveth to himſelf ſuch advowſons, albeit that among other perſons it hath not been ſo.

II. *Eng.*

II. *Eng. Stat.* 1 *Hen.* 4. cap. 6. All which demand of the King's lands, offices, or other profits, ſhall mention in their petitions the value of the thing demanded, and alſo what they have had of the King's gift, or of his progenitors before; and in caſe they make not ſuch mention, and that duly proved, the King's patents ſhall be of no force. Value to be mentioned.

Qu. *If of force after the death of King* Henry IV? *See* Stat. 2. Hen. 4. cap. 3. *which is expired.*

III. *Eng. Stat.* 18 *Hen.* 6. *cap.* 1. Every warrant ſent by the King, or his heirs to the chancellor, the day of the delivery of the ſame to the chancellor, ſhall be entered of record in the chancery; and the chancellor ſhall cauſe patents to be made, bearing date the day of the ſaid delivery, and not before, and if any patents be made to the contrary, they ſhall be void. Date of delivery of warrants.

IV. *Stat.* 37 *Hen.* 6. *cap.* 1. Upon every warrant by the King's juſtices of Ireland, the King's lieutenant of Ireland, or their deputy, to be addreſſed to the chancellor of Ireland, or his deputy there, or keeper of the great ſeal of Ireland, the day of the delivery to the ſaid chancellor, deputy or keeper, ſhall be entered of record in the chancery, and the King's letters patent *ſhall* be made upon the ſame warrants, bearing date the day of the ſame delivery into the chancery, and not before; and if any letters patent be made to the contrary, they ſhall be void. Day of delivery to be entered.

V. *Stat.* 15 *Car.* 1. *cap.* 6. *ſect.* 2. All letters patent which are paſt, or ſhall be paſt under the great ſeal of this kingdom, of any lands or other hereditaments ſpiritual or temporal within this kingdom, by virtue of, or reference unto any commiſſion of grace granted ſince the beginning of his Majeſty's reign, other than thoſe letters patent of the ſame things, or of the ſame and other things to the ſame perſons, ſhall be adjudged to be effectual and indefeaſible in manner following, that is to ſay, for all the lands and other hereditaments lying within any of the late plantations within this kingdom, made by Queen Elizabeth, King James, and made or to be made by the King that now is, as well againſt his Majeſty, his heirs and ſucceſſors, as againſt all other perſons, and for all the reſt of the premiſſes againſt his Majeſty, his heirs and ſucceſſors only, notwithſtanding any defect whatſoever, or any ſtatute or thing which might impeach any of the ſaid letters patent. Patents by commiſſions of grace.

VI. *ſect.* 3. As well ſuch patentees as thoſe in remainder limited or declared by ſuch letters patent, after the new paſſing or ſealing of ſuch letters patent, ſhall hold and enjoy all the lands being within any of the plantations aforeſaid, and ſpecified in any of the ſaid letters patent, to be granted as well againſt his Majeſty, his heirs and ſucceſſors, as againſt all other perſons, and all other the lands mentioned to be granted in any of the ſaid letters patent, only againſt his Majeſty, his heirs and ſucceſſors, for ſuch eſtate, with remainders over, or otherwiſe, and to ſuch uſes and in ſuch manner as ſhall be limited or declared in the ſaid letters patent, freed and diſcharged of all rents, incumbrances and demands, other than the reſervations, covenants and charges which ſhall be reſerved by the ſaid letters patent. Lands within the plantations.

VII. *ſect.* 4. Concerning ſuch letters patent as have been paſt or ſhall be paſt diverſe times of the ſame things, or of the ſame and other things to the ſame perſons, by virtue of or reference unto any commiſſions of grace, only the latter of ſuch letters patent, ſhall be effectual *in ſuch manner and with ſuch diſtinctions and proviſoes, as are ſpecified in the two preceding paragraphs.* Latter patents to be effectual.

VIII. *ſect.* 5. The King ſhall be adjudged in the real ſeiſin and poſſeſſion in right of the crown, of all the lands, &c. called plantation lands, or paſt as ſuch by letters patent, to any Britiſh undertakers, by birth, blood, or deſcent; and that at any time Plantation lands;

whenſoever any of the ſame premiſſes, within the ſpace of five years next enſuing the end of this ſeſſion of parliament, ſhall be granted or new paſſed by virtue of or reference unto ſuch commiſſion of grace as aforementioned, to any being either former patentees, or reputed inheritors or proprietors, or by former aſſignation, &c. have taken the profits thereof, their heirs, &c. or any in truſt for them, that then immediately after the paſſing or ſealing of any ſuch letters patent in manner before ſpecified, they ſhall hold the ſame premiſſes ſo granted, peaceably and quietly as aforeſaid, againſt the King, his heirs and ſucceſſors, and all others whatſoever, free from all incumbrances and demands, other than ſuch rents and ſervices as ſhall be therein and thereby reſerved.

Grants to be expounded liberally.

IX. *ſect.* 6. All the ſaid letters patent, as well of all the laſt before ſpecified lands and hereditaments, as of all the reſidue of the premiſſes before mentioned, ſhall be always taken and expounded moſt liberally and beneficially for the advantage of ſuch patentees, againſt his Majeſty, his heirs and ſucceſſors.

Words of covenant.

X. *ſect.* 7. No words of covenant, pact, agreement or command, nor any clauſe, or words, purporting in ſubſtance a covenant, pact, agreement or command, mentioned in any the aforeſaid letters patent, paſt or to be paſt, by virtue of, or reference unto any of the commiſſions aforeſaid, ſhall be conſtrued as a proviſo or condition, and the breach thereof, or the doing of any act contrary to any thing commanded, agreed or covenanted for, in or by any clauſe, article, ſentence or words, in any ſuch letters patent, or the not doing or miſdoing of any thing thereby required or injoined, ſhall not give cauſe either of avoidance or impeachment of any of the ſame letters patent, or of fine, impriſonment, or other puniſhment of the parties delinquent, or of any other forfeiture, penalty or loſs, but only his Majeſty, his heirs and ſucceſſors, may recover their reaſonable damages for the ſame by action of covenant in any of his Majeſty's courts, or Engliſh bill in the exchequer here, as in caſe of breach of covenant, are uſual to be awarded in actions of covenants brought at the common law, in any of the ordinary courts of juſtice upon like breach, &c.

Breach of conditions.

XI. *ſect.* 8. Provided that this laſt clauſe ſhall not bar his Majeſty, his heirs or ſucceſſors, of any entry or re-ſeiſure for breach of any expreſs condition in the ſaid letters patent expreſſed.

Statutes to be expounded liberally.

XII. *ſect.* 9. As well this act made for ſtrengthening of letters patent, as alſo the ſtatutes of 10 *Car.* 1. *ſeſſ.* 1. *cap.* 3. and *ſeſſ.* 3. *cap.* 2. & 3. made for the ſame purpoſe, ſhall be expounded moſt ſtrongly againſt the King, his heirs and ſucceſſors, and moſt liberally and beneficially for the patentees, their heirs, ſucceſſors, executors, adminiſtrators and aſſigns.

Saving to biſhops, &c.

XIII. *ſect.* 10. Provided that this act ſhall in no wiſe bar or prejudice the right or title of any archbiſhop, biſhop, dean, chapter, archdeacon, dignitary, prebendary, parſon, vicar, or other ſpiritual or eccleſiaſtical perſon, to any manors, lands, tenements or hereditaments, being the inheritance and poſſeſſion of their reſpective churches.

Paving and cleanſing.

The act, 4 G. 1. extended.

I. *Stat.* 6 *Geo.* 1. *cap.* 15. *ſect.* 5. So much of this act, and of the act 4 *Geo.* 1. *cap.* 11. as relates to the repairing and amending the public pavements, and keeping clean the ſtreets of the city of Dublin, ſhall extend to all counties of cities and counties of towns, and the ſeveral mayors, and two of the aldermen of the ſaid counties of cities and towns, ſhall reſpectively have the ſame powers and authorities, liable to the like appeal, for repairing and amending the pavements, and keeping clean the ſtreets, lanes, and alleys within the walls of the ſaid counties of

cities

cities and counties of towns, as hereby are given to the lord-mayor and one of the ſheriffs of the city of Dublin.

See Tit. **Dublin**, *Paving*, &c.

Perjury.

I. *Stat.* 28 *Eliz. cap.* 1. *ſect.* 1. All perſons which ſhall corruptly procure any witneſs by letters, rewards, promiſes, or by any other ſiniſter means, to commit wilful or corrupt perjury in any matter depending in ſuit by writ, action, bill, complaint or information, concerning lands, &c. goods, debts, damages, or any other cauſe of action in any of her Majeſty's courts of chancery, chief place, common-pleas, exchequer, or any other courts, before any judge, commiſſioners, mayor, ſheriffs, ſeneſchals, or other officers, as well within liberties as without, or ſhall corruptly procure, or ſuborn any witneſs which ſhall be ſworn to teſtify *in perpetuam rei memoriam*, ſuch offenders ſhall for their ſaid offence, being thereof convicted, forfeit forty pounds. Procuring witneſſes, &c.

II. *ſect.* 2. If it fortune any ſuch offenders ſo convicted, not to have goods or lands, or tenements, to the value of forty pounds, every ſuch perſon ſhall ſuffer impriſonment one half year, and ſtand upon the pillory one whole hour in ſome market town, adjoining to the place where the offence was committed, in open market there, or in the market town itſelf where the offence was committed. Impriſonment and pillory.

III. *ſect.* 3. No perſon ſo convicted *ſhall* be received as a witneſs in any court, until ſuch time as the judgment given againſt ſuch perſon ſhall be reverſed by attaint or otherwiſe, and upon every ſuch reverſal, the parties grieved *ſhall* recover their damages againſt all ſuch perſons as did procure the judgment ſo reverſed, to be firſt given againſt them by action upon their caſe. Incapacity to be a witneſs.

IV. *ſect.* 4. If any perſon, either by the ſubornation, unlawful procurement, ſiniſter perſuaſion or means of any others, or by their own act, conſent or agreement, wilfully or corruptly commit perjury, by their depoſition in any the courts, or before any the judges, commiſſioners, or officers before mentioned, or being examined *ad perpetuam rei memoriam*, every perſon ſo offending, and being thereof duly convicted, ſhall forfeit twenty pounds, and have impriſonment ſix months, and the oath of ſuch perſons *ſhall* not be received in any court of record, until the judgment ſhall be reverſed by attaint or otherwiſe, and upon ſuch reverſal the parties grieved *ſhall* recover their damages againſt ſuch perſons as did procure the judgment ſo reverſed to be given againſt them by action upon their caſe. Giving falſe teſtimony.

V. *ſect.* 5. If the ſaid offenders *ſhall* not have any goods or chattels to the value of 20 l. they ſhall be ſet upon the pillory in ſome market place within the county where the ſaid offences ſhall be committed, by the ſheriff if it ſhall be without any city or town-corporate, and if it be within any city or town-corporate by the head-officer of ſuch city or town-corporate, or their miniſters, and there to have both his ears nailed, and from thenceforth to be diſcredited and diſabled for ever to be ſworn in any court of record until the judgment ſhall be reverſed, and thereupon to recover his damages in manner aforeſaid. Pillory and nailing ears.

VI. *ſect.* 6. The one moiety of all which money, goods and chattels forfeited, to be to the Queen, and the other moiety to ſuch perſon as ſhall be grieved by reaſon of the offence, that will ſue for the ſame in any of her Majeſty's courts of record, in which no eſſoign, &c. injunction, or any other commandment to be allowed. Diſpoſal of penalties.

VII. *ſect.* 7. As well the judges of the ſaid courts where ſuch perjury ſhall be committed, as alſo the juſtices of aſſiſe and gaol delivery, and the juſtices of peace at their quarter-ſeſſions, ſhall have power to inquire of all offences contrary to this Inquiry of offences.

act by inquiſition, preſentment, bill or information before them exhibited, or otherwiſe lawfully to hear and determine the ſame, and thereupon to give judgment, award proceſs and execution of the ſame.

Statute to be proclaimed.

VIII. *ſect.* 8. The juſtices of aſſiſe ſhall, in every county two times in the year, in time of their ſittings, make open proclamation of this ſtatute, or the effect thereof.

Spiritual courts.

IX. *ſect.* 9. This act ſhall not extend to any ſpiritual or eccleſiaſtical court, but all ſuch as ſhall offend in form aforeſaid, ſhall be puniſhed by ſuch uſual and ordinary laws as heretofore have been, and yet are uſed in the eccleſiaſtical courts. *Eng. Stat.* 5 *Eliz. cap.* 9.

Saving of Juriſdiction.

X. *ſect.* 10. This act ſhall not extend to reſtrain the authority of any judge having abſolute power to puniſh perjury before the making of this ſtatute, but that they may proceed in the puniſhment of all offences heretofore puniſhable, in ſuch wiſe as they might have and uſed to do before the making of this act, ſo they ſet not upon the offenders leſs puniſhment then is contained in this act.

Impriſonment for ſeven years, &c.

XI. *Stat.* 3 *Geo.* 2. *cap.* 4. *ſect.* 2. The more effectually to deter perſons from committing wilful and corrupt perjury, or ſubornation of perjury, beſides the puniſhment already to be inflicted by law for ſo great crimes, it ſhall be lawful for the court or judge before whom any perſon ſhall be convicted of wilful and corrupt perjury, or ſubornation of perjury, according to the laws now in being, to order ſuch perſon to be ſent to ſome houſe of correction within the ſame county, for a time not exceeding ſeven years, there to be kept to hard labour during all the ſaid time, or to be tranſported to ſome of his Majeſty's plantations beyond the ſeas for a term not exceeding ſeven years, as the court ſhall think moſt proper, and thereupon judgment ſhall be given, that the perſon convicted ſhall be committed or tranſported accordingly, over and beſides ſuch puniſhment as ſhall be adjudged to be inflicted on ſuch perſon agreeable to the laws now in being.

Tranſportation.

(2) And if tranſportation be directed, the ſame ſhall be executed in ſuch manner as is or ſhall be provided by law for the tranſportation of felons, and if any perſon ſo committed or tranſported, ſhall voluntarily eſcape or break priſon, or return from tranſportation before the expiration of the time for which he ſhall be ordered to be tranſported, ſuch perſon being thereof convicted, ſhall ſuffer death as a felon without benefit of clergy, or of the ſtatute, and ſhall be tried for ſuch felony in the county where he ſo eſcaped, or where he ſhall be apprehended. *Brit. Stat.* 2 *Geo.* 2. *cap.* 25.

The act, 3 *Geo.* 2. *cap.* 4. (for the more effectual preventing and further puniſhment of perjury and ſubornation of perjury, &c.) *is continued for twenty one years, &c. from the* 25*th day of* March 1757, *by Stat.* 29 *Geo.* 2. *cap.* 8. *ſect.* 9.

Permits.

Permits for inland-carriage.

I. *Stat.* 33 *Geo.* 2. *cap.* 10. *ſect.* 48. All wines in hogſheads, brandy, and other foreign ſpirits in veſſels containing more than four gallons, tobacco above the weight of four pounds, ſilks in whole pieces, and Indian goods imported into this kingdom, except ſpiceries of all ſorts, and except tea, not exceeding two pounds, that ſhall be carried to the inland parts, ſhall be liable to be ſeized by any of the officers of *the* revenue, and ſhall be deemed to be run goods, and forfeited as ſuch, unleſs the carrier ſhall actually produce a permit given by the proper officer, for the carriage of the ſaid goods, if demanded.

Oath of loſs of permit

II. *ſect.* 49. Provided, that an oath made by the carrier of the loſs of ſuch permit, and by the merchant before the commiſſioners or ſub-commiſſioners of exciſe

ciſe in their reſpective diſtricts, that ſuch permit was not taken out, or made uſe of to his knowledge or belief, to cover or protect any other goods, but was taken out for thoſe particular goods ſo ſeized, in ſuch caſe the entry of ſuch permit in the books of the proper officer, or a copy thereof, duly atteſted, ſhall be evidence of ſuch permit.

III. *ſect.* 50. No collector or other officer in *the* revenue, ſhall demand or take any fee for any permit for tobacco or other goods, other than the ſeveral fees hereinafter mentioned; that is to ſay, for any permit of any quantity of tobacco under one hundred pounds weight, or other goods under the value of five pounds, one penny; and for every permit for any quantity of tobacco of one hundred pounds weight and upwards, and other goods to the value of five pounds and upwards, three pence; and the officer appointed for the iſſuing ſuch permits ſhall attend every day at the uſual cuſtom-houſe hours, (Sundays, Chriſtmas-day, and Good-Friday only excepted.) Fees of permits.

IV. *ſect.* 51. If any perſon ſhall counterfeit or forge any inland permit, let-paſs, or coaſt cocket, for the carriage of goods in caſes where by law permits, let-paſſes, or coaſt cockets are required, or ſhall counterfeit or reſemble any impreſſion, ſtamp, or mark appointed by the commiſſioners of his Majeſty's exciſe, or any three or more of them, to be put to or upon ſuch permit, let-paſs, or coaſt cocket, or ſhall make uſe of any ſuch counterfeit or forged permit, or coaſt cocket, with ſuch counterfeit impreſſion, ſtamp or mark, knowing the ſame to be counterfeit, ſuch perſons being thereof legally convicted, by the verdict of a jury of twelve men, or upon their confeſſion, ſhall be adjudged guilty of felony, and ſhall be tranſported to ſome of his Majeſty's plantations in America, there to continue ſeven years. Forging or counterfeiting. Felony.

V. *ſect.* 81. All aqua vitæ, ſpirits, or ſtrong waters, exceeding four gallons, that ſhall be carried or conveyed from any place in this kingdom to any other part thereof, by inland carriage, ſhall be liable to be ſeized by any of the officers of his Majeſty's revenue, and ſhall be deemed to be unlawfully diſtilled, and forfeited as ſuch, unleſs the perſon carrying ſuch aqua vitæ, ſpirits, or ſtrong water, ſhall produce a permit given and ſigned by ſome one of the officers of exciſe, within the diſtrict from whence ſuch aqua vitæ, ſpirits, or ſtrong waters is intended to be carried. Spirits exceeding four gallons.

VI. *ſect.* 82. The ſeveral proviſions and clauſes herein before mentioned, in relation to permits, for exciſeable goods imported into this kingdom, ſhall extend, and be conſtrued to extend to permits for aqua vitæ, ſpirits, or ſtrong waters made in this kingdom, in as full and ample manner as if the ſaid ſeveral clauſes had been over again repeated and enacted. Spirits made in this kingdom.

VII. *ſect.* 119. No perſon ſhall be permitted to enter on board any Eaſt India or China ſhip, except the King's officers who are ſent on board, or ſuch other perſons as ſhall receive a permit or licence from the collector, or other ſuperior officer of the port, under the penalty of twenty pounds. Eaſt-India ſhips.

VIII *ſect.* 120. All the forfeitures and penalties inflicted by this act (other than ſuch as are otherwiſe by this act appointed) ſhall be ſued for and recovered, levied and applied in ſuch manner as are preſcribed by *Stat.* 14 *Car.* 2. *cap.* 8. *for the ſettling of the exciſe*, &c. with the like remedy of appeal to the parties that ſhall think themſelves aggrieved, as by the ſaid act is provided. Suits for penalties.

This act is continued for two years, from the 24th day of June 1766, *and to the end of the then next ſeſſion of parliament, by Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 36. Continuation.

IX. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 6. *And whereas it has frequently happened, that permits or let-paſſes have been taken out of the proper office for granting permits,* Abuſes of permits.

mits, for goods that have been fairly and regularly entered, and the duties for the ſame duly paid; nevertheleſs, the ſeveral goods mentioned in ſuch permit, or any part thereof, have not been ſent or conveyed from the place where the ſame have been entered, to any other place within this kingdom, under the cover of ſuch permit; but the ſaid permit ſo taken out, has been ſent to ſome diſtant part in this kingdom, without any of the goods mentioned in ſuch permit; and afterward, with a fraudulent intent to cover other goods of the ſame denomination and kind, which have been clandeſtinely and illegally landed in this kingdom, application has been made to the collector, or other officer of exciſe, within the diſtrict wherein ſuch goods were pretended to have been ſent, for a new permit, upon an allegation that the goods ſuppoſed to have been ſent with the ſaid former permit, were ordered to be returned for want of buyers, or for ſome other reaſon, and a new permit have been taken out, grounded on the ſaid former permit, ſeveral goods of the ſame denomination, that have been illegally landed in this kingdom, have, under colour of ſuch ſecond permit, been ſent from one place to another without diſcovery of the fraud, to the great detriment of his Majeſty's revenue, and the fair trader: for remedy whereof, it *is* enacted, that in all caſes, where by law, permits for carrying exciſeable goods from one part of this kingdom to another, are required, and ſuch permits ſhall be iſſued or taken out, the owner or other perſons to whom ſuch exciſeable goods ſhall be ſold, conſigned to, or ſent, ſhall, immediately after the arrival of ſuch goods in the place to which they ſhall have been ſent or directed, give notice in writing to the ſurveyor of exciſe, or in his abſence to the gauger of ſuch place, of the arrival of ſuch goods, who are hereby reſpectively required, without delay, to repair to the place where ſuch goods ſhall then be, and ſhall then and there carefully examine the ſaid goods, with the contents of the ſaid permit, and ſhall take the ſaid permit, ſent with the ſaid goods from the owner, or other perſon having charge of the ſame, and ſhall, upon affidavit made by the perſons to whom ſuch goods ſhall be ſo ſent (which affidavit ſuch ſurveyor or gaugers, are hereby reſpectively authorized to take) that the ſeveral goods mentioned in ſuch permit, were really and truly brought from the place mentioned in ſuch permit, by virtue and in purſuance thereof, thereupon, without fee or reward, give to the ſaid owner, or perſon having charge of the ſaid goods, a certificate in writing under his hand, containing a true and particular account of all the goods that he ſhall have ſo viewed and examined; which certificate, ſo made and ſigned, ſhall be allowed to be of equal authenticity with the original permit, for the purpoſe of proving the duties paid, and for all other purpoſes whatſoever, except only for the purpoſe of carrying or conveying the ſaid goods and commodities from the place where they ſhall have been firſt ſent, to any other place.

Notice to the officers.

Affidavit to be made.

Certificate in writing.

New permits to be taken out.

(2) And the merchant, owner, or other perſon having charge of the ſaid goods, ſhall, upon every ſubſequent removal, or conveyance of the ſame goods and commodities from one place to another, take out new permits from ſome one of the officers of exciſe, within the diſtrict where they ſhall then be, grounded on ſuch certificate, for ſuch parts, or ſo much of the ſaid goods as ſuch merchant, owner, or other perſon demanding ſuch new permit, ſhall have occaſion to ſend, or ſhall require to be ſent to any other place.

Form of permits.

X. *ſect.* 7. All permits whatſoever that ſhall be iſſued by any officer of the revenue, having power or authority to grant the ſame, or who has uſually granted the ſame, ſhall be wrote, ſtamped, or printed in plain and legible characters, and ſhall contain the ſeveral following particulars (that is to ſay) the date, the number, and the diſtrict from whence iſſued, and the place to which the ſame is intended to be carried, and ſhall particularly expreſs the marks, weight, package, and quantity

of

of goods to be contained in ſuch permit, as exactly as the caſe will admit of, or ſhall give ſuch other particular deſcriptions of the goods to be mentioned in ſuch permit, as ſhall effectually comprize the ſame, and prevent other goods from being fraudulently conveyed or carried from one place to another, under colour thereof; and ſhall likewiſe contain the real chriſtian and ſir-names of the perſons ſending the ſaid goods and commodities, and of the perſons to whom intended to be ſent: and in caſe any fictitious names ſhall be inſerted in any ſuch permits, the goods mentioned therein ſhall be forfeited; and at the foot of the ſaid permit ſhall likewiſe be mentioned ſome reaſonable limited time for ſuch permit to be in force, and no longer, for the conveyance of ſuch goods from one place to another; and after the expiration of ſuch limited time, the ſaid permit ſhall not be of any force for protecting or conveying the goods, which ſhall be mentioned or contained therein, from being ſeized by any officer of his Majeſty's revenue, and forfeited as goods clandeſtinely run or imported, or fraudulently brewed, made or diſtilled. Fictitious names.

XI. *ſect.* 8. Provided, that if the carriage of ſuch goods and commodities from one place to another, ſhall be prevented from being fully performed within the time limited in ſuch permit, by any unforeſeen or unavoidable accident, then, on notice being immediately given by the owner or carrier of ſuch goods to any officer of the revenue, and a reſt or ſtay being made of ſuch goods, at or near the place where ſuch accident ſhall happen, the officer of the revenue to whom ſuch notice ſhall be given, ſhall, without any delay repair to the place where ſuch goods ſhall then be; and if ſuch officer ſhall find, upon view or enquiry, ſuch goods were ſtopped or delayed in their carriage, by any ſuch accident as before mentioned, in ſuch caſe, ſuch officer ſhall thereupon, by indorſement on ſuch permit, enlarge the time for the carriage of the ſaid goods to the place of their firſt deſtination. Caſes of accidents.

(2) And if any officer of the revenue ſhall wilfully or negligently omit or refuſe to do his duty herein, according to the directions aforeſaid, ſuch officer ſhall, on proof being made thereof, to the ſatisfaction of the chief commiſſioners of his Majeſty's revenue, or any three of them, forfeit ten pounds. Penalty on officers.

XII. *ſect.* 9. Provided alſo, that in all caſes where the carriage of ſuch goods ſhall by means of any accident be prevented from being performed within the time limited by the ſaid permit, and that fully proved to the ſatisfaction of the chief commiſſioners and ſub-commiſſioners of exciſe in their reſpective diſtricts, the ſaid permit ſhall continue and be in force for the carriage of the ſaid goods to the place of their deſtination, for ſuch time only, and no longer, as was loſt or delayed by ſuch accident. Further time allowed.

Petitions.

I. *Eng. Stat.* 13 *Car.* 2. *ſtat.* 1. *cap.* 5. *ſect.* 2. No perſon ſhall ſolicit or procure the getting of hands or other conſent of any perſons above the number of twenty, to any petition, complaint, remonſtrance, declaration, or other addreſs to the King, or both, or either houſes of parliament, for alteration of matters eſtabliſhed by law in church or ſtate, unleſs the matter thereof be firſt conſented to and ordered by three juſtices of the county, or by the major part of the grand jury, where the ſame ſhall ariſe at their aſſiſes or quarter-ſeſſions. Soliciting or procuring names.

(2) And no perſon ſhall repair to his Majeſty, or both or either houſes of parliament, upon pretence of delivering any petition, &c. accompanied with exceſſive number of people, nor at any one time with above the number of ten perſons, upon pain of incurring a penalty not exceeding 100l. and three months impriſonment, Numbers of people.

to

to be profecuted at the King's-bench, or the aſſiſes or quarter-ſeſſions, within ſix months after the offence, and proved by two witneſſes.

Complaints and addreſſes.

II. *ſect.* 3. This act ſhall not hinder any perſons, not exceeding ten, to preſent any complaint to any members of parliament after election and during the parliament, or to the King's Majeſty, for any remedy to be thereupon had, nor extend to any addreſs to his Majeſty by all or any of the members of both or either houſes of parliament.

Petition of right.

Suits for lands in the King's hands.

I. *Eng. Stat.* 14 *Edw.* 3. *ſtat.* 1. *cap.* 14. Where a man demandeth by petition, tenements which be in the King's hands, and it is anſwered in parliament, chancery, or in the King's-bench, that the King willeth that a writ be ſued out to the treaſurer and chamberlains of the exchequer to ſearch the charters, muniments and other remembrances, whereby he might be adviſed to make anſwer, after the four writs returned, whether that any muniment or remembrance be found for the King or not, then in the parliament, chancery, or in the King's-bench, they which ſhall ſue for the King ſhall be put to anſwer and to defend the tenements demanded againſt the King, ſo always that every of the four writs be delivered to the treaſurer and chamberlains forty days before the return. And by the great ſeal or privy ſeal no point of this ſtatute ſhall be put in delay.

Pillory.

Execution without peril.

I. *Eng. Stat.* ordin. for bakers; *incerti temporis*, *cap.* 3. Every pillory or ſtretch-neck muſt be of convenient ſtrength, ſo that execution may be done upon offenders without peril of their bodies.

Piracy.

Trial of offences.

I. *Stat.* 11 *Jac.* 1. *cap.* 2. *ſect.* 1. All treaſons, felonies, robberies, murders and confederacies, committed upon the ſea, or in any haven, river, creek, or place where the admirals have, or pretend to have power or juriſdiction, ſhall be inquired, heard, determined and judged in ſuch ſhires and places in this realm, as ſhall be limited by the King's commiſſion, as if any ſuch offences had been committed upon the land.

Commiſſions for trial.

(2) And ſuch commiſſions ſhall be under the great ſeal of this realm, directed to the admirals, or their lieutenant-general or deputies, and to three or four ſuch other perſons as ſhall be nominated by the lord chancellor of Ireland, to hear and determine ſuch offences after the courſe of the common laws, uſed for treaſons, felonies, robberies, murders and confederacies, committed upon the land within this realm.

Inquiry by a jury.

II. *ſect.* 2. Such perſons to whom ſuch commiſſions ſhall be directed, or four of them, ſhall have power to inquire of ſuch offences, by the oaths of twelve lawful inhabitants in the ſhire limited by their commiſſion, as if ſuch offences had been committed upon the land within the ſame ſhire, and every indictment found before ſuch commiſſioners, of any treaſons, felonies, robberies, murders, manſlaughters, or ſuch other offences committed upon the ſeas, or in any haven, river, or creek as aforeſaid, ſhall be good in the law, and ſuch order, proceſs, judgment and execution ſhall be had againſt every ſuch perſon ſo being indicted, as for treaſon, felony, robbery, murder, or other ſuch offences, done upon the land, and the trial of ſuch offences, if it be denied by the offenders, ſhall be had by twelve lawful men inhabiting in the ſhire limited with ſuch commiſſion, and no challenge to be had for the hundred.

(2) And

Piracy.

(2) And ſuch as ſhall be convict of any ſuch offences by verdict, confeſſion, or proceſs, by authority of any ſuch commiſſion, ſhall ſuffer ſuch pains of death, loſſes of lands, goods and chattels, as if they had been attainted and convicted of the ſaid offences done upon the land. Pains and penalties

III. *ſect.* 3. For treaſons, robberies, felonies, murders and confederacies done upon the ſea, or in any place above rehearſed, the offenders ſhall not be admitted to have the benefit of their clergy. No benefit of clergy.

IV. *ſect.* 4. This act *ſhall* not extend to any perſon for the taking any victuals, cables, ropes, anchors or ſails, which any ſuch perſons compelled by neceſſity ſhall take of any ſhip which may conveniently ſpare the ſame, ſo as the perſons pay out of hand for the ſame money or money-worth to the value of the thing ſo taken, or do deliver for the ſame a ſufficient bill obligatory to be paid, if the taking of the things be on this ſide of the ſtraits of Morocco, then to be paid within four months, and if it be beyond the ſaid ſtraits, then to be paid within twelve months, and that the makers of ſuch bills pay the ſame at the day limited. Caſes of neceſſity.

Plantation-trade.

I. *Eng. Stat.* 12 *Car.* 2. *cap.* 18. *ſect.* 18. No ſugars, tobacco, cotton-wool, indicoes, ginger, fuſtick, or other dying wood, of the production of any Engliſh plantations in America, Aſia, or Africa, ſhall be carried from any the ſaid Engliſh plantations to any place whatſoever, other than to ſuch Engliſh plantations as belong to his Majeſty, or to England, Ireland, Wales or Berwick, there to be laid on ſhore, under the penalty of forfeiture of the goods or the value thereof, as alſo of the ſhip with her tackle, the one moiety to the King, and the other moiety to him that ſhall ſeize or ſue for the ſame in any court of record. Productions of the Engliſh plantations.

II. *ſect.* 19. For every ſhip which ſhall ſet out from England, Ireland, Wales, or Berwick, for any Engliſh plantation in America, Aſia or Africa, bond ſhall be given with one ſurety to the chief officers of the cuſtom-houſe of ſuch port from whence the ſhip ſhall ſet ſail, to the value of 1000*l.* if the ſhip be of leſs burden than one hundred tons, and of 2000*l.* if the ſhip be of greater burthen, that in caſe the ſhip ſhall load any of the ſaid commodities at the Engliſh plantations, that the ſame ſhall be by the ſaid ſhip brought to ſome port of England, Ireland, Wales or Berwick, and ſhall there unload the ſame, danger of the ſeas excepted; and for all ſhips coming from any other place to any of the plantations, the governor of ſuch plantation ſhall before the ſhip be permitted to load any of the ſaid commodities, take bond to the value aforeſaid, that ſuch ſhip ſhall carry all the aforeſaid goods to ſome other of his Majeſty's Engliſh plantations, or to England, Ireland, Wales or Berwick. Bonds to be given.

(2) And every ſhip which ſhall take on board any of the aforeſaid goods, until ſuch bond given to the governor, or certificate produced from the officers of any cuſtom-houſe of England, Ireland, Wales or Berwick, that ſuch bonds have been there given, ſhall be forfeited with all her tackle, to be employed and recovered as aforeſaid. And the ſaid governors ſhall twice every year return copies of all ſuch bonds to the chief officers of the cuſtoms in London. Lading goods before bond given.

III. *Eng. Stat.* 15 *Car.* 2. *cap.* 7. *ſect.* 6. No commodity of the production of Europe ſhall be imported into any plantation or place which ſhall belong to his Majeſty in Aſia, Africa or America, but what ſhall be ſhipped in England, Wales, or Berwick, and in Engliſh built ſhipping, and whereof the maſter and three fourths of the mariners are Engliſh, and which ſhall be carried directly thence to the ſaid plantations, under the penalty of the loſs of all ſuch commodities imported from Engliſh-built ſhipping.

any other place, and if by water, of the ſhip alſo with her tackle, one third to his Majeſty, one third to the governor of ſuch plantation, if the ſhip be there ſeized or informed againſt, or otherwiſe that third part alſo to his Majeſty, and the other third part to him who ſhall ſeize or ſue for the ſame, in any of his Majeſty's courts in ſuch plantations where the offence was committed, or in any court of record in England.

Goods excepted. IV. *ſect.* 7. Provided that it ſhall be lawful to lade in ſhips navigated as in the foregoing clauſe, in any part of Europe, ſalt for the fiſheries of New-England and Newfoundland, and to ſhip in the Madeiras wines of the growth thereof, and to ſhip in the weſtern iſlands or Azores wines of the growth of the ſaid iſlands, and to take in ſervants or horſes in Ireland, and to ſhip in Ireland victual of the production of Ireland, and the ſame to tranſport into any of the ſaid plantations.

Notices to be given. V. *ſect.* 8. No ſhip coming to any ſuch plantation ſhall lade or unlade any goods, until the maſter ſhall firſt have made known to the governor or ſuch other officer as ſhall be by him appointed, the arrival of the ſhip, with her name, and the name of her commander, and have ſhewn to him that ſhe is an Engliſh built ſhip, or made good by producing ſuch certificate, that ſhe is a ſhip belonging to England, Wales, or Berwick, and navigated with an Engliſh maſter, and three fourth parts of the mariners Engliſh, and have delivered to ſuch governor or other officer, an inventory of her lading, with the places in which the goods were laden, under the pain of loſs of the ſhip with her tackle, and of all ſuch goods of the production of Europe as were not laden in England, Wales or Berwick, to be recovered and divided in manner aforeſaid.

The word Ireland. VI. *Eng. Stat.* 22 & 23 *Car.* 2. *cap.* 26. *ſect.* 11. The word Ireland ſhall be left out of all bonds taken for any ſhip which ſhall ſet ſail from England, Ireland, Wales or Berwick, for any Engliſh plantation in America, Aſia, or Africa.

Places of landing. (2) And in caſe the ſhip ſhall load any of the ſaid commodities at the ſaid Engliſh plantations, the ſaid commodities ſhall be by the ſaid ſhip brought to ſome port of England, Wales, or Berwick, and ſhall there unload the ſame, danger of the ſeas excepted, and in like manner for all ſhips coming from any other port to the ſaid plantations, the governor of ſuch plantations ſhall, before the ſhip be permitted to load any of the ſaid commodities, take bond in manner directed in the act 12 *Car.* 2. *cap.* 18. *for the encouraging of navigation*, that ſuch ſhip ſhall carry all the ſaid goods to ſome other of his Majeſty's Engliſh plantations, or to England, Wales, or Berwick, and every ſuch ſhip which ſhall load any of the ſaid commodities, until ſuch bond given, or certificate produced from the officers of ſome cuſtom-houſe of England, Wales, or Berwick, that ſuch bond hath been there given, or which, contrary to the tenor of ſuch bond, ſhall carry the ſaid goods to any place other than to other Engliſh plantations, or to England, Wales, or Berwick, and there lay the ſame on ſhore, every ſuch ſhip ſhall be forfeited, with her tackle and lading, one moiety to the King, and the other moiety to him that ſhall ſeize and ſue for the ſame, in any of the plantations, in the court of the high admiral of England, or of any of his vice-admirals, or in any court of record in England.

Forfeiture of ſhip, &c.

Court of admiralty. VII. *ſect.* 13. It ſhall be lawful for any perſon to proſecute ſuch ſhip in any court of admiralty in England, the one moiety of the forfeiture to be to his Majeſty, and the other moiety to ſuch proſecutor.

Duties for ſhipping goods without bond. VIII. *Eng. Stat.* 25 *Car.* 2. *cap.* 7. *ſect.* 2. If any ſhip which by law may trade in any his Majeſty's plantations, ſhall come to any of them to ſhip any of the ſaid commodities,

commodities, and bond ſhall not be firſt given with ſurety to bring the ſame to England, Wales, or Berwick, and there to unload the ſame, the danger of the ſeas excepted, there ſhall be paid to his Majeſty for ſo much of the ſaid commodities as ſhall be put on board ſuch ſhip, theſe duties, *viz.* for ſugar, white the hundred weight 5*s.* brown ſugar and muſcovadoes 1*s.* 6*d.* for tobacco the pound 1*d.* cotton-wool one half-penny, indico 2*d.* ginger the hundred weight 1*s.* for logwood 5*l.* for fuſtick and all other dying-wood, 6*d.* and for every pound of cocoa-nuts 1*d.* to be collected as ſhall be appointed in the plantations before the lading thereof, and under ſuch penalties as for defrauding his Majeſty of his cuſtoms in England.

How to be levied.

IX. *ſect.* 3. The duties hereby impoſed ſhall be cauſed to be levied by the commiſſioners of the cuſtoms in England by authority of the treaſury.

Payment in commodities.

X. *ſect.* 4. In caſe any perſon liable to pay the duties before-mentioned ſhall not have monies to pay the ſame, the officers ſhall accept ſuch a proportion of the commodities as ſhall amount to the value.

English or Iriſh ſhipping.

XI. *Eng. Stat.* 7 & 8 *Will.* 3. *cap.* 22. *ſect.* 2. No goods ſhall be imported into or exported out of any plantation to his Majeſty in Aſia, Africa, or America belonging, or ſhall be carried from any one port in the plantations to any other port in the ſame, the kingdom of England, Wales, or Berwick, in any ſhip but what ſhall be of the built of England or of Ireland, or the plantations, and wholly owned by the people thereof, and navigated with the maſters and three fourths of the mariners of the ſaid places, except ſhips taken prize and condemnation thereof made in the courts of admiralty in England, Ireland, or the plantations, to be navigated by the maſter and three fourths of the mariners Engliſh, or of the plantations, and whereof the property doth belong to Engliſhmen, under pain of forfeiture of ſhip and goods, one third to his Majeſty, one third to the governor of the plantations, and the other third to the perſon who ſhall ſue for the ſame in any of his Majeſty's courts at Weſtminſter, or in any court in his Majeſty's plantations where ſuch offence ſhall be committed.

Prize ſhips.

XII. *ſect.* 3. Merchandiſes may be exported or imported to and from this kingdom and places aforeſaid, in any ſhips taken as prize, and whereof condemnation ſhall be made in one of the courts of admiralty aforeſaid, and ſhall be navigated by the maſter and three fourths of the mariners Engliſh, and whereof the property ſhall belong to Engliſhmen.

Cuſtom-laws.

XIII. *ſect.* 6. All ſhips coming into or going out of any of the plantations, and lading or unlading any goods, whether the ſame be his Majeſty's ſhips of war or merchants ſhips, and the commanders thereof, ſhall be liable to the ſame rules, viſitations, and forfeitures, as to the entring, lading, or diſcharging their ſhips, as ſhips are liable to in this kingdom, by 13 & 14 *Car.* 2. *cap.* 11. *for preventing frauds in his Majeſty's cuſtoms.*

Reſcuing or concealing goods

(2) All the wharfingers, lightermen, or other perſons aſſiſting in the concealment or reſcue of the ſaid goods, or in the hindering the officers in the performance of their duty, and the veſſels employed in the conveyance of ſuch goods, ſhall be ſubject to the like penalties as are provided by the ſame act in relation to prohibited or uncuſtomed goods in this kingdom.

Officers.

(3) And the like aſſiſtance ſhall be given to the officers, as by the ſaid act is provided for the officers in England; and the officers ſhall be ſubject to the ſame penalties for any frauds or concealments as officers of the cuſtoms in England.

Diſpoſal of penalties.

XIV. *ſect.* 7. The penalties before mentioned, not in this act particularly diſpoſed of, ſhall be one third to his Majeſty, one third to the governor of the plantation where the offence ſhall be committed, and the other third to ſuch perſon as

ſhall ſue for the ſame, to be recovered in any of his Majeſty's courts at Weſtminſter or in Ireland, in the court of admiralty in his Majeſty's plantations, or in any plantation belonging to any ſubject of England; and where any queſtion ſhall ariſe concerning the importation or exportation of any goods into or out of the ſaid plantations, the proof ſhall lie upon the owner, and the claimer ſhall be reputed the importer or owner.

Security to be given.

XV. *ſect.* 8. Notwithſtanding the payment of the duties granted by 25 *Car.* 2. *cap.* 7. in any of the plantations, none of the goods mentioned in the act ſhall be ſhipt until ſecurity be given as is required by the ſaid acts, to carry the ſame to England, Wales, or Berwick, or to ſome other of his Majeſty's plantations, and ſo *toties quoties* as any of the ſaid goods ſhall be brought to be reſhipt under forfeiture of ſhip and goods to be divided as aforeſaid.

Uſages and by-laws.

XVI. *ſect.* 9. All laws, by-laws, uſages or cuſtoms, which ſhall be in practice in the plantations, repugnant to the before-mentioned laws, or to this act, or any other law to be made in this kingdom, ſo far as ſuch law ſhall relate to the plantations, are void.

Certificates of landing goods.

XVII. *ſect.* 10. Where the governor, or officers appointed by the commiſſioners of the cuſtoms in the plantations, ſhall have ground of ſuſpicion, that the certificate of having given ſecurity in England is falſe, the governor or officers of the cuſtoms ſhall take ſecurity there for the diſcharge of the plantation lading in England, Wales, or Berwick, and where there ſhall be cauſe to ſuſpect that the certificates of having diſcharged her lading of plantation goods in this kingdom is falſe, the governor or officers ſhall not cancel the ſecurity given in the plantation, until they be informed from the commiſſioners of the cuſtoms that the certificate is true; and if any perſon ſhall raſe or falſify any cocket, certificate, return, or permit, for any veſſel or goods, or ſhall knowingly make uſe thereof, ſuch perſon ſhall forfeit 500*l.* to be recovered and diſpoſed of as aforeſaid.

Appointment of officers.

XVIII. *ſect.* 11. The commiſſioners of the treaſury, and the commiſſioners of the cuſtoms, may appoint ſuch officers of the cuſtoms in any city, town, river, port, harbour, or creek, of any of the iſlands, tracts of lands, and proprieties, as ſhall ſeem needful.

Trial of ſuits.

(2) Alſo upon any ſuits brought in the plantations, upon any law concerning his Majeſty's duties, or ſhips or goods forfeited by reaſon of any unlawful importations or exportations, there ſhall not be any jury but of ſuch only as are natives of England or Ireland, or born in his Majeſty's plantations; and upon all ſuch ſuits the offences may be laid in any province, county or diviſion of any of the plantations, at the pleaſure of the informer.

Places in the courts of law.

XIX. *ſect.* 12. All places of truſt in the courts of law, or what relates to the treaſury of the iſlands, ſhall be in the hands of the native-born ſubjects of England or Ireland, or of the ſaid plantations.

Bonds for landing goods.

XX. *ſect.* 13. In all bonds to be taken in the plantations by 22 & 23 *Car.* 2. *cap.* 26. the ſureties ſhall be perſons of known reſidence and ability in the plantations, and the condition of the bonds ſhall be within eighteen months after the date, the danger of the ſeas excepted, to produce certificate of having landed the goods in one of his Majeſty's plantations, or in England, Wales or Berwick, otherwiſe ſuch bonds or copies thereof atteſted under the hand and ſeal of the governor to whom ſuch bonds were given, ſhall be in force, and allowed of in any court in England, Ireland, or the plantations, as if the original were produced.

Landing goods in Ireland.

XXI. *ſect.* 14. It ſhall not be lawful to put on ſhore in Ireland any goods of the produce of his Majeſty's plantations, unleſs the ſame have been firſt landed in England, Wales,

Wales, or Berwick, and paid the duties, under penalty of forfeiture of the ſhip and goods, three fourths without compoſition to his Majeſty, and the other fourth to him that ſhall ſue for the ſame.

XXII. *ſect.* 15. Provided, that if any ſhip ſhall by ſtreſs of weather be ſtranded, or by reaſon of leakineſs or other diſability ſhall be driven into any port in Ireland, and not able to proceed on her voyage, the ſaid goods may be put on ſhore, but ſhall be delivered into the cuſtody of the collector or chief officer of the cuſtoms, until the ſaid goods ſhall at the charge of the owner thereof be put on board ſome other ſhip, to be carried to ſome port in England, Wales, or Berwick, the officer taking ſecurity for the delivery of the ſame according to this act. Streſs of weather, &c.

XXIII. *ſect.* 16. Perſons claiming property in any iſlands or tracts of land upon the continent of America by charter, ſhall not alien the ſaid iſlands or properties, other than to the natural-born ſubjects, without the licence of his Majeſty, ſignified by his order in council; and all governors appointed by ſuch proprietors intitled to make ſuch nomination, ſhall be approved of by his Majeſty, and ſhall take the oaths injoined to be taken by the governors in other plantations, before their entring upon their governments. Proprietors of lands.

XXIV. *ſect.* 17. No ſhip ſhall paſs as a ſhip of the built of England, Ireland, Wales, Berwick, Guernſey, Jerſey, or any of his Majeſty's plantations in America, ſo as to trade to the plantations, until the perſons claiming property in ſuch ſhip, ſhall regiſter the ſame, *viz.* if the ſhip belong to any port in England, Ireland, Wales, or Berwick, proof ſhall be made upon oath of one of the owners, before the collector and comptroller of his Majeſty's cuſtoms in ſuch port, or if the ſhip belong to any of his Majeſty's plantations in America, or to the iſlands of Guernſey or Jerſey, then the like proof to be made before the governor, with the principal officer of revenue reſiding on ſuch plantation or iſland, in the tenor following, *viz.* Regiſtry of ſhips.

Jurat A. B. *that the ſhip of whereof is at preſent maſter, being a of tuns, was built at in the year and that of and of*, &c. *are at preſent owners thereof, and that no foreigner, directly or indirectly, hath any ſhare or part or intereſt therein.* Form of oath.

Which oath being atteſted by the governor or cuſtom officer, ſhall after having been regiſtred by them, be delivered to the maſter of the ſhip, a duplicate of which regiſter ſhall be tranſmitted to the commiſſioners of cuſtoms in London, to be entered in a general regiſter there, with penalty upon any ſhip trading to any of his Majeſty's plantations in America, and not having made proof as here directed, that ſhe ſhall be liable to ſuch forfeiture as any foreign ſhip, except prizes condemned in the admiralty.

XXV. *ſect.* 18. Provided that ſhips taken at ſea by letters of mart or repriſal, and condemnation thereof made in the admiralty of England, ſhall be ſpecially regiſtred, with proof that the entire property is Engliſh. Ships taken at ſea.

XXVI. *ſect.* 19. Nothing in this act ſhall require the regiſtring any fiſher-boats, hoys, lighters, barges, or any open boats, whoſe navigation is confined to the rivers or coaſts of the plantation where they trade, but only of ſuch as croſs the ſeas. Open boats excepted.

XXVII. *ſect.* 20. No ſhip's name ſhall be changed without regiſtring ſuch ſhip *de novo*, which is to be done upon any transfer of property to another port, and delivering up the former certificate under the ſame penalties as before; and in caſe of any alteration of property in the ſame port by ſale of ſhares after regiſtring, ſuch ſale ſhall be acknowledged by indorſement on the certificate before two witneſſes. Changing names of ſhips.

XXVIII. *Eng. Stat.* 11 *Will.* 3. *cap.* 12. If any governor, deputy governor or commander in chief, of any plantation within his Majeſty's dominions beyond the Oppreſſion of governors,

ſeas,

ſeas, ſhall be guilty of oppreſſing any of his Majeſty's ſubjects beyond the ſeas within their governments, or guilty of any other offence contrary to the laws of this realm, or in force within their governments, ſuch oppreſſions and offences ſhall be inquired of, heard and determined in his Majeſty's court of King's bench in England, or before ſuch commiſſioners, and in ſuch county of this realm, as ſhall be aſſigned by his Majeſty's commiſſion, and by lawful men of the ſame county, and ſuch puniſhments ſhall be inflicted on ſuch offenders, as are inflicted for offences of like nature committed in England.

Plantation bonds.

XXIX. *Brit. Stat.* 8 *Ann. cap.* 13. *ſect.* 23. Plantation bonds given for bringing the enumerated commodities to Great Britain in caſe there be no proſecution for breach of the conditions within three years after the dates, or if judgment be not obtained for her Majeſty within two years after the proſecution commenced, ſuch plantation bonds ſhall be void, and delivered up by the officers, on pain of anſwering all damages with treble coſts.

Skins and furs.

XXX. *Brit. Stat.* 8 *Geo.* 1. *cap.* 15. *ſect.* 24. All beaver-ſkins and other furs of the product of the Britiſh plantations in America, Aſia, or Africa, ſhall be imported directly from thence into Great Britain, and laid on ſhore there, and not elſewhere, under the penalties, *&c.* in 12 *Car.* 2. *cap.* 18. in relation to ſugars, tobacco, and other enumerated goods.

Carrying ſalt.

XXXI. *Brit. Stat.* 13 *Geo.* 1. *cap.* 5. It ſhall be lawful for any of his Majeſty's ſubjects to carry ſalt from any part of Europe to Penſilvania in Britiſh ſhips navigated according to the act 12 *Car.* 2. *cap.* 18. *of navigation.*

Goods that may be imported into Ireland.

XXXII. *Brit. Stat.* 4 *Geo.* 2. *cap.* 15. *ſect.* 1. It ſhall be lawful to import into Ireland from his Majeſty's plantations in America, all goods of the growth or manufacture of his Majeſty's plantations, except ſugars, tobacco, cotton, wool, indigo, ginger, ſpeckle wood, or Jamaica wood, fuſtick, or other dying wood, rice, molaſſes, beaver-ſkins and other furs, copper ore, pitch, tar, turpentine, maſts, yards, and bow-ſprits, the act 7 & 8 *Will.* 3. *cap.* 22. notwithſtanding.

Britiſh ſhipping.

XXXIII. *ſect.* 2. Provided that the goods be imported in Britiſh ſhipping, whereof the maſter and three fourths of the mariners are Britiſh.

Goods prohibited.

XXXIV. *Brit. Stat.* 6 *Geo.* 2. *cap.* 13. *ſect.* 4. No ſugars, paneles, ſyrups, or molaſſes, of the growth of America, nor any rum or ſpirits of America, except of the growth of his Majeſty's ſugar colonies, ſhall be imported into Ireland, but ſuch only as ſhall be ſhipped in Great Britain in ſhips navigated according to law, under the penalty of forfeiting all ſuch ſugar, paneles, ſyrups, or molaſſes, rum or ſpirits, or the value thereof, together with the ſhip in which the ſame ſhall be imported; and ſuch commodities with the ſhip may be ſeized by the lord lieutenant or lords juſtices, or by warrant of any other magiſtrate, or by any cuſtom-houſe or exciſe officer; and all offences againſt this act may be proſecuted in any of his Majeſty's courts of record at Weſtminſter or in Dublin, and the forfeitures recovered ſhall be divided, *viz.* one moiety to his Majeſty, and the other moiety to the informer.

Seizure of ſhip, &c.

Aſſiſting to land goods.

XXXV. *ſect.* 5. If any perſon ſhall aſſiſt in landing ſuch ſugar, paneles, ſyrups, or molaſſes, rum, or ſpirits in Ireland, or any of his Majeſty's plantations in America, or ſhall receive into his houſe or cuſtody any ſuch commodities, knowing the ſame to be imported contrary to this act, ſuch perſon ſhall forfeit treble the value of ſuch goods.

Obſtructing officers.

XXXVI. *ſect.* 6. If any perſon ſhall hinder any cuſtom-houſe, impoſt, or exciſe officer, in the execution of their duty in ſeizing the commodities aforementioned, he

he ſhall forfeit 50 *l.* and ſhall alſo be liable to be proſecuted by indictment or otherwiſe, and ſhall be impriſoned three months; and if any officer or their aſſiſtants, ſhall be ſued for any thing done in execution of this act, they may plead the general iſſue.

(2) And if any officer of the cuſtoms or exciſe in Ireland, or in the plantations, ſhall connive at the importation of the commodities aforementioned, or ſhall ſeize any of the ſaid commodities, and by fraud delay the proſecution, he ſhall forfeit 50 *l.* and be incapable of holding office under his Majeſty. Penalties on officers.

XXXVII. *ſect.* 7. If any maſter of any ſhip ſhall take in any ſugar, &c. to be imported into Ireland, or any of his Majeſty's plantations contrary to this act, ſuch maſter ſhall forfeit 100 *l.* Maſters of ſhips.

XXXVIII. *ſect.* 8. Upon all ſuits for importation of the commodities aforementioned, the *onus probandi* ſhall lie on the claimer. *Onus probandi.*

XXXIX. *ſect.* 11. All ſuits for any offence againſt this act ſhall be brought within two years after ſuch offence committed. Suit in two years.

XL. *ſect.* 12. The expence of proſecuting any offence againſt this act, ſhall be paid out of the ſhares of the forfeitures given to his Majeſty. Expences of proſecution.

This act is made perpetual by Brit. Stat. 4 *Geo.* 3. *cap.* 15. *ſect.* 4.

Pleadings.

I. *Eng. Stat.* Marleber. 52 *Hen.* 3. *cap.* 11. *ſect.* 1. Neither in the circuit of juſticers, nor in counties, hundreds, nor court barons, ſhall any fines be taken for fair pleading. Fines certain are not taken away by this act. Fines not to be taken.

II. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 29. If any ſerjeant, pleader or other, do any deceit in the King's court, or conſent unto it, in deceit of the court or the party, and thereof be attainted, he ſhall be impriſoned for a year and a day, and ſhall not be heard to plead in that court. And if he be no pleader, he ſhall be impriſoned in like manner. And if the treſpaſs require greater puniſhment, it ſhall be at the King's pleaſure. Deceit of pleaders.

III. *Eng. Stat.* de conjunctim feoffatis. 34 *Edw.* 1. *ſtat.* 1. In aſſiſes of *novel diſſeiſin*, where the tenant doth plead, that he holdeth the lands in demand jointly with his wife not named in the writ, and ſometime with a ſtranger not named in the writ, and ſheweth forth a deed teſtifying the ſame, and demandeth judgment of the writ, if the plaintiff will aver by aſſiſe, that the day of his writ purchaſed, he that alledged the exception was ſole tenant, ſo that neither his wife nor any other had any thing in the lands, the juſtices ſhall retain the deed, until the aſſiſe be tried thereupon. Pleas in aſſiſes.

(2) And they ſhall by writ under their *teſte* let the party abſent, whom the deed teſtifieth to have been jointly infeoffed with the tenant, to underſtand that he be preſent at a certain day with the other tenant, to anſwer to the plaintiff, as well upon the exception alledged, as of the lands demanded and put in view, if it ſhall ſo ſeem expedient to him; at which day if both the tenants come and teſtify the feoffment, they ſhall maintain the exception alledged by one of them, and further ſhall anſwer unto the aſſiſe, as though the original had been purchaſed againſt both of them jointly. Notice by writ.

(3) And if it be proved by aſſiſe, that the exception was alledged maliciouſly, to delay the plaintiff of his right, ſo that they held not the ſame land jointly the day of the writ purchaſed, then albeit the aſſiſe paſs for the tenants, yet they that alledge the exception, ſhall be puniſhed by one year's impriſonment, from whence they ſhall Malicious exception.

not

not be delivered without a grievous ranſom; and let the juſtices not allow ſuch an exception alledged by the bailiffs of any ſuch tenants; and if he that alledgeth the exception abſent himſelf at his day, and the other that is named jointenant appear, although he diſavow the deed, and ſay, that he hath nothing in the lands, &c. nevertheleſs the aſſiſe ſhall be awarded againſt him that is abſent by default; and if it be found by the aſſiſe, that they were not jointly ſeized, &c. and likewiſe that the tenant or any other named in the writ did diſſeiſe the plaintiff, then having regard to the exception that was falſly alledged, and to the diſſeiſin, the plaintiff ſhall recover his ſeiſin and double damages, and they that alledged the falſe exception, ſhall have the puniſhment aforeſaid; but if neither of the tenants come at the day, then upon their default the aſſiſe ſhall be awarded; and if it be found that the exception was truly alledged, the aſſiſe ſhall paſs no further, but the writ ſhall be abated. The ſame order ſhall be obſerved in aſſiſes of *mortdanceſtor* and *juris utrum*.

Proceſs in writ. (4) In other writs whereby lands are demanded, ſuch proceſs ſhall be made, that if at the firſt day that the parties appear, if the tenant alledge the exception of a joint feoffment, and the demandant will offer to aver by the country, that the day of the writ purchaſed he that alledged the exception was ſole tenant, the ſame proceſs ſhall be obſerved until a jury have paſſed between them thereupon.

Judgment on exceptions. (5) And if it be found by the jury that the exception was truly alledged, the writ ſhall abate; and it be found that the exception was falſly alledged, and to the hinderance of the party, the demandant ſhall recover his ſeiſin, and the tenant ſhall be puniſhed by the pain aboveſaid as to the impriſonment, and as to the damages according to the diſcretion of the juſtices.

Non-tenure of parcel. IV. *Eng. Stat.* 25 *Edw.* 3. *ſtat.* 5. *cap.* 16. By the exception of *non-tenure* of parcel, no writ ſhall be abated, but for quantity of the *non-tenure*.

Pleas to be in Engliſh. V. *Eng. Stat.* 36 *Edw.* 3. *cap.* 15. All pleas in courts before any of the King's juſtices or miniſters, or in the courts of any other lords, ſhall be pleaded, debated and judged, in the Engliſh tongue, and entered and inrolled in Latin; and by the ancient terms and forms of pleaders no man ſhall be prejudiced, ſo that the matter of the action be fully ſhewed in the declaration and in the writ.

Abatements. VI. *Eng. Stat.* 6 *Rich.* 2. *cap.* 2. In writs of debt and account, and all other ſuch actions, if in pleas upon the ſame writs it ſhall be declared, that the contract was made in another county than is contained in the original writ, the ſame writ ſhall be abated.

Judgment after trials. VII. *Stat.* 33 *Hen.* 8. *ſeſſ.* 2. *cap.* 3. *ſect.* 1. If any iſſue be tried by the verdict of twelve men or more, in any action or ſuit in the King's bench, common place, exchequer, or before the juſtice of aſſiſe, the juſtices or judges ſhall proceed and give judgment in the ſame, any miſpleading, lack of colour, inſufficient pleading, or *jeofail*, any miſcontinuance, or diſcontinuance, or miſconveying of proceſs, misjoining of iſſue, lack of warrant of attorney for the party againſt whom the ſaid iſſue ſhall be tried, notwithſtanding, and the judgments ſhall ſtand in force according to the verdict, without any reverſal of the ſame by writ of error, as though no ſuch default or negligence had been committed.

Warrants of attorney. VIII. *ſect.* 2. Every attorney for any demandant or plaintiff, tenant, or defendant in any action in any of the King's ſaid courts, ſhall deliver his warrant of attorney, to be entered of record in the ſame term when the iſſue is entered of record or afore, upon pain of forfeiting unto *the King* ten pound for every default, and alſo further

to

to ſuffer impriſonment by the diſcretion of the juſtices or judges of the court where any ſuch default ſhall be made. *Eng. Stat.* 32 *Hen.* 8. *cap.* 30.

What pleaders not to be allowed.

IX. *ſect.* 3. No perſon, except the party, plaintiff or demandant, tenant or defendant, ſhall be allowed as a pleader in any of the King's four principal courts within this realm in any cauſe, or to exhibit in any of the ſaid four courts any declaration or bill, plea in bar, replication or rejoinder, or to give evidence to any jury unleſs it be for the King, or to argue any matter in law, or to do any other thing in any of the ſaid four courts, which cuſtomably hath been uſed to be done by one taken to be learned in the King's laws, but ſuch perſons as ſhall be at one time or ſeveral times by the ſpace of years reſiant in one of the inns of court in England ſtudying the knowledge of the ſaid laws, upon pain of an 100*s.* to every perſon offending.

Suits of the King.

X. *ſect.* 4. This act ſhall not extend to bind any juſtices or judges to give judgment in any ſuit *or* cauſe depending between the King and any of his ſubjects. No ſuch erroneous judgment upon the ſaid defaults, or omiſſion to be given againſt his Highneſs, ſhall otherwiſe bind any of them, but as the ſame ſhould have done before the making of this act.

Bills of exceptions.

XI. *ſect.* 5. Provided alſo that this act do not extend to any exceptions to be moved before any juſtices or judges and not allowed by them, whereupon a bill therefore ſhall be ſealed or refuſed to be ſealed, but the ſame to be of the ſame effect as it was before the making of this act.

This act is made perpetual by Stat. 11 Eliz. ſeſſ. 1. cap. 5.

Iſſues on demurrers.

XII. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 11. *ſect.* 1. After demurrer joined and entered in any action in any court of record, the judges ſhall give judgment according as the very right of the cauſe and matter in law ſhall appear, without regarding any imperfection, defect, or want of form, in any writ, return, plaint, declaration, or other pleading, proceſs, or courſe of proceeding, except thoſe only which the party demurring ſhall eſpecially ſet down and expreſs with his demurrer, and no judgment ſhall be reverſed by writ of error for any ſuch imperfection, defect, or want of form, as is aforeſaid, except ſuch only as is before excepted.

Defects in forms.

XIII. *ſect.* 2. After demurrers joined and entered, the court may amend all ſuch imperfections, defects, and wants of form, other than thoſe only which the party demurring ſhall ſpecially expreſs with his demurrer.

Appeals of felony, &c.

XIV. *ſect.* 3. This act ſhall not extend to any appeal of felony or murder, nor to any indictment or preſentment of any felony, murder, treaſon, or other matter, nor to any proceſs upon them, nor to any action or information upon any popular or penal ſtatute. *Eng. Stat.* 27 *Eliz. cap.* 5.

Judgments after verdict.

XV. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 12. *ſect.* 1. If any verdict of twelve men or more, ſhall be given in any action in any court of record, the judgment thereupon ſhall not be ſtayed or reverſed by reaſon of any default in form, or lack of form touching falſe Latin, or variance from the regiſter, or other defaults in form, in any writ, original or judicial, count, declaration, plaint, bill, ſuit or demand, or for want of any writ original or judicial, or by reaſon of any imperfect or inſufficient return of any officer, or for want of any warrant of attorney, or by reaſon of any default in proceſs upon or after any aid, prayer, or voucher, nor any ſuch record or judgment after verdict given, ſhall be reverſed for any the defects or cauſes aforeſaid. *Eng. Stat.* 18 *Eliz. cap.* 14. *ſect.* 1.

Variance in form, &c.

XVI. *ſect.* 2. If any verdict of twelve men or more, ſhall hereafter be given for the plaintiff or demandant, or for the defendant or tenant, bailiff in aſſiſe, vouchee, prayee in aid, or tenant by receipt in any court of record, the judgment thereupon ſhall not be ſtayed nor reverſed by reaſon of any variance in form only between the original writ or bill, and the declaration, plaint, or demand, or for lack of an averment of any life of any perſon, ſo as upon examination the perſon be proved to be in life, or by reaſon that the *venire facias*, *habeas corpora* or *diſtringas*, is awarded to a wrong officer, or by reaſon the *viſne* is in ſome part miſawarded, or ſued out of more places or of fewer places than it ought to be, ſo as ſome one place be right named, or by reaſon that any of the jury which tried the iſſue is miſnamed, either in the name, ſirname, or addition, in the writs, or in any return upon the writs, ſo as upon examination it be proved to be the ſame man that was meant to be returned, or by reaſon that there is no return upon the writs, ſo as a panel of the names of jurors be returned and annexed to the writ, or for that the ſheriffs or other officers name is not ſet to the return, ſo as upon examination it be proved that the writ was returned by the ſheriff, &c. or by reaſon that the plaintiff in any *ejectione firmæ*, or in any perſonal action, being an infant, did appear by attorney therein, and the verdict paſſed for him.

Appeals, &c.

XVII. *ſect.* 3. This act ſhall not extend to any appeal of felony or murder, nor to any indictment or preſentment of felony, murder, or treaſon, nor to any proceſs upon any of them, nor to any action or information upon any popular or penal ſtatute. *Eng. Stat.* 21 *Jac.* 1. *cap.* 13. *ſect.* 2, 3.

Warrants of attorney.

XVIII. *ſect.* 4. All attornies in any court of record, ſhall deliver in their warrants of attornies in all actions wherein they be named attornies, to be filed of record in ſuch manner as by the ſtatute in that behalf made they ought to have done, upon pain to forfeit ten pounds for every ſuch offence, the one moiety thereof to be to the King, and the other moiety to ſuch other officer in whoſe office the ſame warrants ſhould be filed, and to ſuffer impriſonment by the diſcretion of the court wherein ſuch default ſhall be made, the ſaid ten pounds to be recovered by action of debt, &c. in which no eſſoign, &c. ſhall be allowed.

Actions againſt officers.

XIX. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 16. *ſect.* 1. If any action upon the caſe, treſpaſs, battery, or falſe impriſonment, ſhall be brought againſt any ſheriff, juſtice of peace, mayor, or bailiff of city or town corporate, headborough, portreeve, conſtable, tithingmen, overſeer of the poor, collector of ſubſidy or fifteens, churchwardens, or any other officers executing their offices, and their deputies, or any other, which in their aid or aſſiſtance, or by their commandant, ſhall do any thing touching their offices for any thing by them done by virtue of their offices, the ſaid action ſhall be laid within the county where the treſpaſs or fact ſhall be done, and not elſewhere.

General iſſue.

(2) And it ſhall be lawful for all perſons aforeſaid, to plead the general iſſue, not guilty, and to give ſuch ſpecial matter in evidence to the jury, which ſhall try the ſame, which ſpecial matter being pleaded, had been a ſufficient matter in law to have diſcharged the ſaid defendants of the treſpaſs or other matters laid to their charge.

Verdict for the defendant.

(3) And if upon trial of any ſuch action, the plaintiffs therein ſhall not prove to the jury which ſhall try the ſame, that the treſpaſs or other cauſe of ſuch action was done within the county wherein ſuch action ſhall be laid, in every ſuch caſe the jury which ſhall try the ſame, ſhall find the defendants not guilty, without having any regard to any evidence given by the plaintiffs therein, touching the treſpaſs, or other cauſe, for which the action ſhall be brought.

(4) And

(4) And if the verdict ſhall paſs with the defendants in any ſuch action, or the plaintiffs therein become nonſuit, or ſuffer any diſcontinuance thereof, the defendants ſhall have their double coſts. *Eng. Stat.* 7 *Jac.* 1. *cap.* 5. *and* 21 *Jac.* 1. *cap.* 12. Double coſts.

XX. *Stat.* 15 *Car.* 1. *cap.* 1. *ſect.* 1. Whenſoever the King and ſuch from or under whom the King claimeth, and all others claiming under the ſame title under which the King claimeth, ſhall be out of poſſeſſion twenty years, or ſhall not have taken the profits of any lands within twenty years before any information of intruſion brought to recover the ſame, the defendants may plead the general iſſue, and ſhall not be preſſed to plead ſpecially, and the defendants ſhall retain the poſſeſſion they had at the time of ſuch information exhibited until the title be found for the King. Information of intruſion.

XXI. *ſect.* 2. Where an information of intruſion may be brought on the King's behalf, no *ſcire facias* ſhall be brought, whereunto the ſubject ſhall be forced to a ſpecial pleading, and be deprived of the grace intended by this act. *Eng. Stat.* 21 *Jac.* 1. *cap.* 1. No *ſcire facias*.

XXII. *Stat.* 17 *&* 18 *Car.* 2. *cap.* 12. *ſect.* 1. If any verdict of twelve men ſhall be given in any action or demand in any of his Majeſty's courts of record at Dublin, judgment thereupon ſhall not be ſtayed or reverſed for default in form, for lack of form, or by reaſon that there are no pledges, or but one pledge to proſecute returned upon the original writ, or becauſe the name of the ſheriffs is not returned upon ſuch original writ, or for default of entering pledges upon any bill or declaration, or for default of alledging the bringing into court any bond, bill, indenture, or other deed mentioned, in the declaration or other pleading, or for default of allegation of the bringing into court of any letters teſtamentary or letters of adminiſtration, or by reaſon of the omiſſion of *vi & armis* or *contra pacem*, or for miſtaking of the chriſtian name or ſirname of the plaintiff or defendant, demandant or tenant, ſums of money, day, month, or year, by the clerk in any bill, declaration, or pleading, where the right name, ſirname, ſum, day, month, or year, in any record preceding, or in the ſame record where the miſtake is committed, are once rightly alledged, whereunto the plaintiff might have demurred and ſhewn the ſame for cauſe. Defaults in form, &c.

(2) Nor for want of the averment of *hoc paratus eſt verificare*, or *hoc paratus eſt verificare per record'*, or for not alledging *prout per record'*, or for that there is no right *venue* ſo as the cauſe were tried by a jury of the proper county or place where the action is laid, nor any judgment after a verdict, confeſſion by *cognovit actionem* or *relicta verificatione*, ſhall be reverſed for want of *miſericordia* or *capiatur*, or by reaſon that a *capiatur* is entered for a *miſericordia*, or a *miſericordia* is entered where a *capiatur* ought to have been entered, nor for that *ideo conceſſum eſt pur cur'* is entered for *ideo conſideratum eſt per cur'*, nor for that the increaſe of coſts after a verdict in any action, or upon a nonſuit *replevin* are not entered to be at the requeſt of the party for whom the judgment is given, nor by reaſon that the coſts in any judgment are not entered to be by conſent of the plaintiff, but all ſuch omiſſions, variances, defects, and all other matters of like nature, not being againſt the right of the matter of the ſuit, nor whereby the iſſue or trial are altered, ſhall be amended by the courts where ſuch judgments ſhall be given, or whereunto the record ſhall be removed by writ of error. Want of averment, &c.

XXIII. *ſect.* 2. This act ſhall not extend to any appeal of felony or murder, nor to any indictment or preſentment of felony, or murder, treaſon, or other matter, nor to any proceſs upon them, nor to any action or information upon any penal ſtatute, Not to extend to appeals.

ſtatute, other than concerning cuſtoms and ſubſidies of tonnage and poundage. *Eng. Stat.* 16 & 17 *Car.* 2. *cap.* 8. *This act is made perpetual by* Stat. 7. Will. 3. cap. 7. ſect. 1.

Inferior courts of record.

XXIV. *Stat.* 9 *Will.* 3. *cap.* 38. *ſect.* 5. An act made in the thirty third year of King Henry the eighth *touching miſ-impleadings and jeofails*, and another act made in the tenth year of King Charles the firſt *for avoiding unneceſſary delays of execution*, and another act made in the ſeventeenth and eighteenth years of King Charles the ſecond *to prevent arreſts of judgment and ſuperſeding executions*, ſhall be in force in all inferior courts of record, as if the ſaid inferior courts had been particularly named in the ſeveral abovementioned acts.

Proceedings in Engliſh.

XXV. *ſect.* 6. In all the ſaid inferior courts which have power to try actions under forty ſhillings and no more, the proceedings and pleadings may be in Engliſh, and ſhall not for that or any other defect in form be quaſhed, if the ſame be removed by writ of falſe judgment or otherwiſe, into any of his Majeſty's courts of record.

Judgment on demurrers.

XXVI. *Stat.* 6 *Ann. cap.* 10. *ſect.* 1. Where demurrer ſhall be joined and entered in any ſuit in any court of record, the judges ſhall give judgment, according as the very right of the cauſe and matter in law ſhall appear, without regarding any imperfection, omiſſion, or defect, in any writ, return, plaint, declaration, or other pleading, proceſs or courſe of proceeding, except thoſe only which the party demurring ſhall ſpecially ſet down with his demurrer as cauſes of the ſame, notwithſtanding that ſuch imperfection, &c. might have heretofore been taken to be matter of ſubſtance, and not aided by the ſtatute 10 *Car.* 1. *cap.* 11. ſo as ſufficient matter appear in the pleadings, upon which the court may give judgment according to the right of the cauſe.

Immaterial traverſe, &c.

(2) And no advantage ſhall be taken of an immaterial traverſe, or of the default of entering pledges, or of the default of alledging the bringing into court any bond or other deed mentioned in the pleading, or of the default of alledging of the bringing into court letters teſtamentary, or letters of adminiſtration, or of the omiſſion of *vi et armis* and *contra pacem*, or of the want of averment of *hoc paratus eſt verificare* or *hoc paratus eſt verificare per recordum*, or of not alledging *prout patet per recordum*; but the court ſhall give judgment according to the very right of the cauſe, without regarding any ſuch imperfections, or any other matter of like nature, except the ſame ſhall be ſpecially ſhewn for cauſe of demurrer.

Statute of *jeofail.*

XXVII. *ſect.* 2. All the ſtatutes of *jeofail* ſhall be extended to judgments entered upon confeſſion, *nihil dicit*, or *non ſum informatus*, in any court of record; and no ſuch judgment ſhall be reverſed, nor any judgment upon any writ of enquiry of damages executed thereon be ſtayed or reverſed, for any thing which would have been aided by the ſtatutes of *jeofails* in caſe a verdict had been given in the action, ſo as there be an original writ or bill and warrants of attorney duly filed.

Warrant of attorney.

XXVIII. *ſect.* 3. The attorney for the plaintiff or demandant ſhall file his warrant of attorney the ſame term he declares, and the attorney for the defendant or tenant ſhall file his warrant of attorney the ſame term he appears, under the penalties inflicted by any former law for default of filing their warrants of attorney.

Pleading ſeveral matters.

XXIX. *ſect.* 4. It ſhall be lawful for any defendant or tenant in any action, or for any plaintiff in replevin in any court of record, with the leave of the court, to plead as many matters as he ſhall think neceſſary.

XXX. *ſect.*

XXX. *ſect.* 5. Provided that if any ſuch matter ſhall upon a demurrer joined, be judged inſufficient, or if a verdict ſhall be found upon any iſſue for the plaintiff or demandant, coſts ſhall be given, unleſs the judge who tried the iſſue ſhall certifie that the defendant, or tenant, or plaintiff in replevin, had a probable cauſe to plead ſuch matter. Coſts to be given.

XXXI. *ſect.* 7. Nothing before contained ſhall extend to any appeal of felony or murder, or to any indictment or preſentment of treaſon, felony, or murder, or other matter, or to any proceſs upon them, or to any action upon any penal ſtatute. Appeals and indictments.

XXXII. *ſect.* 11. No dilatory plea ſhall be received in any court of record, unleſs the party offering ſuch plea do by affidavit prove the truth thereof, or ſhew ſome probable matter to the court to induce them to believe that the fact is true. Dilatory pleas.

XXXIII. *ſect.* 12. Where an action of debt ſhall be brought upon any ſingle bill, or where debt or *ſcire facias* ſhall be brought upon any judgment, if the defendant hath paid the money, ſuch payment may be pleaded in bar; and where debt is brought upon any bond which hath a condition or defeazance to make void the ſame upon payment of a leſſer ſum, if the obligor, his heirs, executors, or adminiſtrators, have before the action brought paid the principal and intereſt due, though ſuch payment was not made ſtrictly according to the condition or defeazance, yet it may be pleaded in bar, and ſhall be as effectual as if the money had been paid at the day and place according to the condition, and had been ſo pleaded. Pleas in bar.

XXXIV. *ſect.* 13. If at any time pending any action upon ſuch bond with a penalty, the defendant ſhall bring into court the principal and intereſt due, and all coſts expended in any ſuit in law or equity, upon ſuch bond, the money ſhall be taken in ſatisfaction of the bond, and court ſhall give judgment to diſcharge ſuch defendant. Money brought into court.

XXXV. *ſect.* 21. This ſtatute and all the ſtatutes of *jeofails*, ſhall extend to all ſuits in any the four courts at Dublin, for recovery of any debt immediately owing, or any revenue belonging to her Majeſty, &c. and ſhall extend to all courts of record in this kingdom. *Eng. Stat.* 4 & 5 *Ann. cap.* 16. Extent of ſtatutes.

XXXVI. *Stat.* 5 *Geo.* 2. *cap.* 4. *ſect.* 8. If any perſon ſhall ſue forth *ſcire facias* and ſhall have judgment, where *nul tiel record* is pleaded, every plaintiff ſo recovering ſhall have their coſts of ſuit in ſuch *ſcire facias*, as they might have in caſe ſuch recovery had been either by verdict, or upon demurrer. Coſts on *ſcire facias*.

XXXVII. *Stat.* 11 *Geo.* 2. *cap.* 6. *ſect.* 1. All writs, proceſs, and returns thereof, and proceedings thereon, and all pleadings, rules, orders, indictments, informations, inquiſitions, preſentments, verdicts, prohibitions, certificates, and all patents, charters, pardons, commiſſions, records, judgments, ſtatutes, recognizances, bonds, rolls, entries, fines and recoveries, and all proceedings relating thereunto, and all proceedings of courts-leet, courts-baron and cuſtomary-courts, and all copies thereof, and all proceedings whatſoever in any courts of juſtice, and which concern the law and adminiſtration of juſtice, ſhall be in the Engliſh language. Proceedings to be in Engliſh.

(2) And ſhall be written or printed in a common legible character, and not in any hand commonly called Court-hand, with the like way of writing or printing, and with ſuch abbreviations as are now commonly uſed in the Engliſh language, and with the like manner of expreſſing numbers by figures, as have been commonly uſed in the ſaid courts; and every perſon who ſhall write or print any of the proceedings or other things above mentioned in any hand commonly called Court hand, or in any Writing in Court-hand.

language

language except the Engliſh language, ſhall for every ſuch offence forfeit twenty pounds to any perſon who ſhall ſue for the ſame.

Names of writs, &c.

XXXVIII. *ſect.* 2. Provided that ſuch penalty ſhall not be extended to the expreſſing the proper or known names of writs, or other proceſs or technical words, in the ſame languages as hath been commonly uſed, ſo as the ſame be written or printed in a common legible character, and not in any hand commonly called Court-hand, and that all proſecutions for offences againſt this act ſhall be commenced within three calendar months after the ſame ſhall be committed.

Miſtakes in clerk-ſhip. &c.

XXXIX. *ſect.* 4. Miſtranſlation, variation in form by reaſon of tranſlation, miſpelling or miſtake in clerkſhip, or pleadings or proceedings, begun before the firſt day of January, 1738, being part in Latin and part in Engliſh, ſhall be no error nor make void any proceedings, but all miſtranſlation, errors in form, miſpelling, miſtakes in clerkſhip may at any time be amended, whether in paper or on record, before or after judgment, upon payment of reaſonable coſts.

Courts of admiralty.

XL. *ſect.* 5. Nothing in this act ſhall extend to certifying beyond the ſeas any caſe or proceedings in the court of admiralty, but that in ſuch caſes the commiſſions and proceedings may be certified in Latin.

Statutes of *jeofails.*

XLI. *ſect.* 6. All ſtatutes for the reformation and amending the delays ariſing from *jeofails*, ſhall extend to all forms and proceedings in courts of juſtice, except in criminal caſes, when the forms and proceeedings are in Engliſh; and every error and miſtake which might be amended by any ſtatutes of *jeofails* if the proceedings had been in Latin, all errors and miſtakes of the ſame and like nature when the forms are in Engliſh, ſhall be amended and remedied by the ſtatutes now in force for the amendment of any *jeofails*; and this clauſe ſhall be conſtrued in all courts of juſtice in the moſt ample and beneficial manner, for the eaſe and benefit of the partes, and to prevent frivolous and vexatious delays. *Brit. Stat.* 4 *Geo.* 2. *cap.* 26. and 6 *Geo.* 2. *cap.* 14.

Pleas of the Crown.

Sheriffs, &c.

I. *Eng.* Magna charta. 9 *Hen.* 3. *cap.* 17. No ſheriff, conſtable, eſcheator, coroner, or any other the King's bailiffs, ſhall hold pleas of the crown.

Pledges.

Knowledge of fines.

I. *Eng. Stat.* 38 *Edw.* 3. *ſtat.* 1. *cap.* 3. All fines to be taken before any juſtices, ſhall be in the preſence of the pledges, and the pledges ſhall know the ſum of their fine before their departing.

Plus-acres.

Lands undiſpoſed of.

I. *Stat.* 2 *Ann. cap.* 8. *ſect.* 1. The lands called *plus-lands* or *plus-acres*, which are parcels of denominations of lands undiſpoſed of, where the reſidue of ſuch denominations have been granted by patent, ſhall be veſted in ſuch perſons who on the firſt day of October one thouſand ſeven hundred and two, were in poſſeſſion of ſuch *plus-acres* by themſelves, or thoſe deriving under them in their right, or under colour thereof, which perſons ſhall hold and enjoy ſuch *plus-acres* to them and their heirs, liable to ſuch quit-rent for the ſame, *pro rata*, as is payable out of the other part of ſuch denominations.

Determination of claims.

II. *ſect.* 2. The chief governors, and ſix or more of the privy council, are impowered within three years ſummarily to determine the claims of the ſeveral pretenders to the poſſeſſion of the ſaid *plus-acres* on the ſaid firſt day of October one thouſand ſeven hundred and two, and to ſwear and examine witneſſes to aſcertain the fees in all

all offices relating to ſuch claims, and the inrolment thereof, and to do whatever ſhall be neceſſary to a judicial determination of ſuch poſſeſſion, and their decree, which ſhall always aſcertain the quit-rent, and be inrolled in the auditor general's office, ſhall be concluſive to all parties, and ſhall be as good as if the ſaid lands had been granted by letters patent.

III. *ſect.* 3. Whereas there are ſeveral denominations of lands entirely undiſpoſed, which, as alſo ſome of the aforeſaid *plus acres*, are ſo coarſe and barren, that they are not worth the quit-rent they are liable unto, and therefore remain deſolate, it ſhall be lawful for the chief governors and ſix or more of the privy council, to demiſe or grant the ſame to ſuch proteſtants, and for ſuch term of years as they ſhall think fit, at ſuch a reaſonable rent as may encourage ſuch perſons to plant and inhabit the ſame. Grants of lands.

IV. *ſect.* 4. Nothing herein contained ſhall avoid any ſettlement, leaſe, charge, or other conveyance or incumbrance, made by the perſons whoſe eſtates or poſſeſſions are hereby confirmed, or by the perſons under whom they derive, but that the ſame and all other right and titles, except of her Majeſty to the ſaid lands, ſhall be of the ſame effect as if this act had never been made. Saving for leſſees, &c.

Poſſeſſions.

I. *Stat.* 25 *Geo.* 2. *cap.* 12. *ſect.* 1. If any perſons ſhall be preſented by the grand-jury at any aſſiſes or general quarter-ſeſſions of the peace, for having oppoſed or aided in oppoſing the execution of any proceſs for giving or quieting the poſſeſſion of any lands, and ſuch preſentments being returned to the clerk of the council, the perſons in ſuch preſentments named, ſhall, by proclamation from the lord lieutenant, or other governors and council, be proclaimed. Oppoſing the execution of proceſs.

(2) And in caſe ſuch perſons ſo preſented and proclaimed for having oppoſed or reſiſted, or aided in the oppoſing or reſiſting, the execution of any ſuch proceſs, do not within the time to be limited by ſuch proclamation, render themſelves to ſome juſtice of the peace of the county where ſuch preſentment ſhall be made, they ſhall from thenceforth be convict of felony, and tranſported to ſome of his Majeſty's plantations in America, as in caſes of felony, and the court before whom ſuch perſons ſhall be brought, ſhall have power to order ſuch offenders to be tranſported for ſeven years. Not ſurrendering after proclamation.

(3) And all perſons who ſhall knowingly conceal, aid, abet, or ſuccour, ſuch perſons after the time they were ſo preſented and proclaimed, ſhall be guilty of felony, and ſhall be tranſported to ſome of his Majeſty's plantations in America, for the ſpace of ſeven years. Concealing offenders.

II. *ſect.* 2. The printed proclamation wherein ſuch perſons are named to be preſented by the grand-jury of any county, at the general aſſiſes or quarter-ſeſſions, to be guilty of the offences aforeſaid, ſhall be adjudged ſufficient evidence againſt ſuch perſons. Proclamation evidence.

III. *ſect.* 3. Provided, that before any grand-jury ſhall preſent any perſons as aforeſaid, examination ſhall be taken before ſome judge of the King's-bench, judge of aſſiſe, or juſtice of the peace upon oath, which examination ſhall be lodged with the clerk of the crown or peace for the county or place where ſuch perſons ſhall be preſented, and a copy thereof ſhall be certified, together with the preſentment, to the chief governors and council before the perſons ſo preſented ſhall be proclaimed. Examinations to be taken.

IV. *ſect.* 4. Whenever a ſheriff or other officer duly authorized to execute any proceſs of the law, for giving, quieting, or reſtoring of the poſſeſſion of lands, ſhall be forcibly reſiſted and prevented from executing the ſame, every perſon having Forcible reſiſtance of proceſs.

right

right thereby to be quieted in or reſtored to their poſſeſſions, ſhall, from the time of ſuch reſiſtance and oppoſition, be deemed to be in the actual poſſeſſion of ſuch lands, as fully as if the ſheriff or other officer had duly executed the proceſs, and ſhall be intitled to the rents, iſſues, and profits from the time of the giving of the judgment or decree on which ſuch proceſs was founded, and the payment of rent for ſuch lands becoming due from the time of ſuch judgment or decree, to any other perſons, ſhall be void.

Rents after judgment.

(2) And all rents accruing out of the ſame, from the time of ſuch judgment or decree, are to be the property of the perſons intitled to the poſſeſſion under ſuch judgment or decree, and every perſon, who ſhall unlawfully keep poſſeſſion of ſuch lands after the ſheriff or other officer ſhall have been prevented from executing ſuch proceſs as aforeſaid, ſhall reſpectively forfeit to the perſons who ought to have been quieted or reſtored by ſuch proceſs, double the value of the rents of ſuch lands, &c, from the time of pronouncing of the judgment or decree on which ſuch proceſs was founded, to be recovered by action, &c. in any of his Majeſty's courts, wherein no eſſoign, &c. ſhall be allowed.

The act 25 Geo. 2. continued.

V. *Stat.* 3 *Geo.* 3. *cap.* 20. *ſect.* 2. The act 25 *Geo.* 2. *cap.* 12. *(for the more effectual execution of orders of courts of juſtice, for giving and quieting poſſeſſions)* is continued for ſeven years from the firſt day of June next, and to the end of the then next ſeſſion of parliament.

Poſthumous-children.

Children born after the death of the father.

I. *Stat.* 8 *Ann. cap.* 4. *ſect.* 1. Where any eſtate already is or ſhall by any marriage or other ſettlement be limited in remainder to or to the uſe of the firſt or other ſons of the body of any perſon lawfully begotten, with remainder over to or to the uſe of any other perſon, or limited in remainder to or to the uſe of daughters lawfully begotten, with remainder to any other perſon, in ſuch caſe, any ſon or daughter lawfully begotten, that ſhall be born after the deceaſe of their father, may by virtue of ſuch ſettlement, take ſuch eſtate ſo limited to the firſt and other ſons, or to the daughter or daughters, in the ſame manner as if ſuch ſons or daughters were born in the life-time of their father, although no eſtate be limited to truſtees after the deceaſe of the father, to preſerve the contingent remainder to ſuch after-born ſons or daughters, until they come in *eſſe*, or be born to take the ſame. *Eng. Stat.* 10 & 11 *Will.* 3. *cap.* 16.

Eſtates in remainder.

II. *ſect.* 2. Nothing in this act ſhall extend to diveſt any eſtate in remainder, that by virtue of any marriage or other ſettlement, is already come to the poſſeſſion of any perſons, or to whom any right is accrued, though not in actual poſſeſſion, by reaſon of any after-born ſons or daughters not happening to be born in the life time of their father.

Poſt-office.

General poſt-office.

I. *Brit. Stat.* 9 *Ann. cap.* 10. *ſect.* 2. There ſhall be one general poſt-office eſtabliſhed within the city of London, from whence all letters and packets may be ſent into any part of Great Britain and Ireland, or to North-America, the Weſt-Indies, or any other of her Majeſty's Dominions, or unto any other country beyond the ſeas, and one maſter of the poſt-office ſhall be appointed by the Queen by letters patent, by the ſtyle of her Majeſty's poſtmaſter-general; which maſter and his deputies, and their ſervants and agents, and no other, ſhall have the receiving, carrying, and delivering of all letters and packets to and from all places of Great Britain and Ireland, North-America, the Weſt Indies, and other her Majeſty's dominions,

minions, and alſo to and from all countries where he ſhall ſettle poſts or running meſſengers.

(2) Except ſuch letters as ſhall concern goods ſent by common carriers of goods by carts, waggons, or pack-horſes, and ſhall be delivered with the goods without hire; and except letters of merchants, and maſters of ſhips or veſſels of merchandiſe, or any lading therein, ſent on board ſuch ſhips, ſo as ſuch letters be delivered without hire; and except commiſſions, the return thereof, affidavits, writs, proceſs or returns, iſſuing out of any court, and alſo letters ſent by private friends in their journey, or by meſſengers ſent on purpoſe. Exceptions.

II. *ſect.* 3. Nothing in the ſaid exception ſhall give authority to common carriers of goods, to receive or deliver any letters that do not concern goods in their carts, waggons, or on their pack-horſes, nor to any drivers of ſtage-coaches, nor to any owners of paſſage-boats ſailing between any part of Great Britain or Ireland, and any parts beyond the ſeas, nor to any paſſengers on board ſuch veſſels, nor to the owners of any veſſel paſſing on any river to and from any parts of Great Britain and Ireland, North-America, or the Weſt-Indies, or other her Majeſty's dominions, although ſuch drivers, owners, &c. do not receive hire for the ſame. Carriers, &c.

III. *ſect.* 4. Such poſtmaſter-general ſhall be at liberty to keep one chief letter-office in the city of Edinburgh, and one other in the city of Dublin, and one in New-York, and other chief offices in each of her Majeſty's provinces in America, and in each of the Leeward-Iſlands. Letter-office in Dublin.

IV. *ſect.* 5. Such poſtmaſter-general, and the deputies of ſuch poſtmaſter-general, and no other perſons, ſhall provide horſes and furniture to let to all perſons riding poſt to or from all parts of Great Britain and Ireland, where poſt-roads ſhall be. Providing horſes &c.

V. *ſect.* 6. It ſhall be lawful for ſuch poſtmaſter-general and his deputies, for the uſe of her Majeſty, to receive for the portage of all letters and packets which he ſhall convey, and for the providing horſes for perſons riding poſt, according to the rates hereafter mentioned, *viz.* for the port of every ſingle letter or piece of paper, to or from any place not exceeding eighty miles from the general poſt-office in London, and within England, and not coming from or directed on ſhip-board, 3*d.* and for every double letter 6*d.* and proportionably for every packet; and for every packet of writs, deeds, and other things, 12*d.* for every ounce; and for every ſingle letter, &c. to or from any place above eighty miles, and within England, or to Berwick, and not coming from or directed on ſhip-board, 4*d.* &c. and 1*s.* 4*d.* for every ounce; and for every ſingle letter, &c. from the general poſt-office in London to Edinburgh, or from thence to London, and to and from Drumfreys or Cockburnſpeth, and between either of thoſe places and the city of Edinburgh, not coming from or directed on board any ſhip, 6*d.* &c. and for every ſingle letter, &c. to or from the chief poſt-office in Edinburgh to or from any place not exceeding fifty miles, and within Scotland, &c. 2*d.* and for every ſingle letter, &c. to or from any place above fifty miles from the chief office in Edinburgh, and not exceeding eighty miles, and within Scotland, &c. 3*d.* and for every ſingle letter, &c. from any place above eighty miles from the chief office in Edinburgh and within Scotland, &c. 4*d.* &c. and for every ſingle letter, &c. from the general office in London to the city of Dublin, or from Dublin, 6*d.* &c. and for every ſingle letter from the chief poſt-office in Dublin, to or from any place not exceeding forty miles, 2*d.* &c. and for every ſingle letter, &c. to or from any place above forty miles from the office in Dublin, &c. 4*d.* and for letters and packets directed on board, or fetched from on board, any ſhip in any port in her Majeſty's dominions, 1*d.* over and above the rates; and for the port of all letters and packets paſſing by the penny-poſt in London, Weſtminſter, Southwark, and parts within ten miles Rates for poſtage, &c.

from the general letter-office, 1*d.* And for letters, packets, and parcels of goods conveyed to or from any of her Majeſty's dominions to or from any other parts beyond the ſeas, according to the rates following, either by the letter or the ounce, *viz.*

Foreign letters. Letters from France to London, ſingle, 10d. double, 1s. 8d. treble, 2s. 6d. ounce, 3s. 4d.

From London through France to Spain or Portugal (port paid to Bayonne) and from Spain and Portugal through France to London, ſingle, 1s. 6d. &c.

From London through France to Italy or Sicily by way of Lyons, or to Turkey by way of Marcelia, and from thoſe parts through France to London, ſingle, 1s. 3d. &c,

From the Spaniſh Netherlands to London, ſingle, 10d. &c.

From London thro' the Spaniſh Netherlands to Italy or Sicily (port paid to Antwerp) and from Italy or Sicily, &c. to London, ſingle, 1s. &c.

From London thro' the Spaniſh Netherlands to Germany, Switzerland, Denmark, Sweden, and all parts of the north, and to London, ſingle, 1s. &c.

From London thro' the Spaniſh Netherlands to Spain or Portugal, and to London, ſingle, 1s. 6d. &c.

From the United Provinces to London, ſingle, 10d. &c.

From London thro' the United Provinces to Italy or Sicily, and to London, ſingle, 1s. &c.

From London thro' the United Provinces to Germany, Switzerland, Denmark, Sweden, and all parts of the north, and from thoſe parts to London, ſingle, 1s. &c.

From London thro' the United Provinces to Spain or Portugal, and to London, 1s. 6d. &c.

From London thro' the Spaniſh Netherlands, or the United Provinces, to Hamburgh, (port paid to Antwerp or Amſterdam) and from Hamburgh to London, ſingle, 10d. &c.

Between London, Spain, or Portugal, by packet-boats, ſingle, 1s. 6d. &c.

From London to Jamaica, Barbadoes, Antego, Montſerrat, Nevis, and St. Chriſtophers, and to London, ſingle, 1s. 6d. &c.

From London to New-York, and to London. ſingle, 1s. &c.

From the Weſt-Indies to New-York, ſingle, 4d. &c.

From New-York to any place within ſixty miles, and back to New-York, ſingle, 4d. &c.

From New-York to Perth-Amboy in Eaſt New-Jerſey, and to Bridlington in Weſt New-Jerſey, and back to New-York, and from New-York, to any place not exceeding 100 miles, &c. ſingle, 6d. &c.

From Perth-Amboy and Bridlington to any place not exceeding 60 miles, and back, ſingle, 4d. &c.

From Perth-Amboy and Bridlington to any place not exceeding 100 miles, and back, ſingle, 6d. &c.

From New-York to New-London in Connecticut in New-England, and to Philadelphia in Penſilvania, and back, ſingle, 9d. &c.

From New-London and Philadelphia to any place not exceeding 60 Miles, and back, ſingle, 4d. &c.

——— To any place not exceeding 100 miles, and back, ſingle, 6d. &c.

From New-York to Newport in Rhode-Iſland, and Providence-Plantation in New-England, and to Boſton in Maſſachuſſets-bay in New-England, and to Portſmouth in

in New-Hampſhire in New-England, and to Anapolis in Maryland, and from thoſe places to New-York, ſingle, 1s. &c.

From Newport, Boſton, Portſmouth and Anapolis, to any place not exceeding 60 miles, and back, ſingle, 4d. &c.

——— To any place not exceeding 100 miles, and back, ſingle, 6d. &c.

From New-York to the chief offices in Salem and Ipſwich, and to the chief offices in Piſcataway, and to Williamſburgh in Virginia, and from thoſe places to New-York, ſingle, 1s. 3d. &c.

From the chief offices in Salem, Ipſwich, Piſcataway and Williamſburgh, to any place not exceeding 60 miles, and back, ſingle, 4d. &c.

——— To any place not exceeding 100 miles, and back, ſingle, 6d. &c.

From New-York to Charles-Town in Carolina, and to New-York, ſingle, 1s. 6. &c.

From Charles-Town to any place not exceeding 60 miles, and back, ſingle, 4d. &c.

——— To any place not exceeding 100 miles, ſingle, 6d.

VI. *ſect.* 7. Such poſtmaſter-general ſhall take according to the ſame rates to or from any places beyond the ſeas, where poſts may hereafter be ſettled. Future poſt eſtabliſhed.

VII. *ſect.* 8. All letters and packets directed to, or coming from, any of the foreign parts aforeſaid, and collected or delivered at any place between London and any of the ports from whence her Majeſty's packet-boats ſhall ſail, or at which they may arrive with the foreign mails, ſhall pay the ſame rates as if they were conveyed in the mails to or from London. Letters collected, &c.

VIII. *ſect.* 9. Such poſtmaſter-general ſhall be at liberty to keep packet-boats to go weekly to and from Donachadee, or ſome other port in Ireland, to Port-Patrick, or ſome other port in Scotland, paying over and above the inland rates to be received at the place where ſuch letters are delivered in, for every ſingle letter, 2d. &c. Packet-boats to Ireland.

IX. *ſect.* 10. It ſhall be lawful for the poſtmaſter-general to ſet up croſs ſtages, and take for all letters which he ſhall convey in ſuch croſs ſtages, as alſo for all by or way letters, the ſame rates in proportion to the diſtances as letters conveyed to and from London. Croſs-ſtages.

X. *ſect.* 11. It ſhall be lawful for ſuch perſons as the poſtmaſter-general ſhall appoint, to meaſure by the wheel all roads, except ſuch roads where ſtages are already ſettled, and ſuch perſons ſhall cauſe ſurveys or books to be made for each of the kingdoms, one of each to be left with her Majeſty's poſtmaſter-general in London, another of each to be left at the chief poſt-office in Edinburgh, another of each to be left at the chief poſt-office in Dublin. Meaſuring roads.

XI. *ſect.* 12. Such perſons authorized to meaſure the diſtances ſhall be ſworn to perform the ſame to the beſt of their ſkill; which oath may be adminiſtred by any juſtice of peace, who ſhall make a certificate thereof, to be entered in the three general poſt-offices. Meaſurers to be ſworn.

XII. *ſect.* 13. Merchants accounts not exceeding one ſheet, and bills of exchange, invoices, and bills of laden, ſhall be allowed without rate, and likewiſe the covers of letters, not exceeding one fourth part of a ſheet, ſent by way of Vienna, Marſeilles, Venice, or Leghorn, to or from Turkey. Merchants accounts, &c.

XIII. *ſect.* 14. It ſhall be lawful for ſuch poſtmaſter-general and his deputies, to take of every perſon that they ſhall provide with horſes and furniture, or with horſes, furniture and guide, to ride poſt, 3d. for each horſe-hire for every mile, and 4d for the guide for every ſtage; and the deputies ſhall not charge any perſon riding poſt for the carrying of any bundle carried along with them, ſo as any ſuch Hire of horſes, &c.

bundle do not exceed eighty pounds averdupois, to be laid on the horſe rid by the guide, and no deputy ſhall be obliged to carry above that weight.

Ship-letters. XIV. *ſect.* 15. All letters and packets that by any ſhip ſhall be brought to any port within her Majeſty's dominions (other than letters before excepted) ſhall be delivered to the deputies only of ſuch poſtmaſter-general, to be ſent poſt to the general poſt-office, upon pain of 5 l. for every offence againſt this act.

Maſters of ſhips. XV. *ſect.* 16. Every maſter or other perſon for every letter or packet he ſhall deliver unto ſuch deputies ſhall receive 1 d. he ſigning a certificate of the number of letters delivered, and by what veſſel they came, and of the time when he delivered the ſame, and giving a receipt for ſuch pence, which certificate and receipt ſhall be by the next poſt returned to the poſtmaſter-general, together with the letters.

Penalties for carrying letters, &c. XVI. *ſect.* 17. No perſon, &c. in Great Britain and Ireland, or her Majeſty's plantations in the Weſt-Indies and America, other than ſuch poſtmaſter-general and his deputies, ſhall receive, carry or deliver any letter or packet (other than as before excepted) or employ any foot-poſt, horſe-poſt, boat or conveyance, for carrying letters or packets, or ſhall keep horſes or furniture for perſons riding ſeveral ſtages upon a poſt-road, and changing horſes, or ſhall furniſh any perſon with horſes or furniture for riding poſt on any of the poſt-roads for hire, on pain of 5 l. for every offence, and 100 l. for every week.

By or way-letters. XVII. *ſect.* 18. If any deputy poſtmaſter ſhall not duly account for all bye or way-letters, or ſhall not on his poſt-bills mention all the bye or way-letters he ſhall receive, or ſhall imbezel any ſuch by-letters or packets, ſuch perſon ſhall forfeit as the perſons herein prohibited ſetting up other poſts.

Suit for penalties. XVIII. *ſect.* 19. The ſaid penalties ſhall be recovered in any of her Majeſty's courts of record, the one moiety to her Majeſty, and the other moiety to ſuch perſons who ſhall ſue, and ſuch perſon informing ſhal have coſts.

Furniſhing horſes, &c. XIX. *ſect.* 20. Provided that if any poſtmaſter do not furniſh any perſon riding poſt, with horſes within one half hour after demand, ſuch perſons are left at liberty to provide themſelves to the next ſtage.

Penalty on poſtmaſters. XX. *ſect.* 21. If thro' default of the poſtmaſter-general, or his deputy, any perſon riding poſt ſhall fail of being furniſhed with horſes as aforeſaid, the poſtmaſter-general, or his deputy, ſhall forfeit 5 l. one moiety to her Majeſty, and the other moiety to him who ſhall ſue for the ſame as aforeſaid.

Carrying letters one ſtage. XXI. *ſect.* 22. Nothing herein ſhall prohibit the carrying of letters to or from the next poſt ſtage above ſix miles from the general poſt-office, or the chief offices of Edinburgh and Dublin.

Orders to be obſerved. XXII. *ſect.* 27. The poſtmaſter general and his deputies ſhall obſerve ſuch orders for the ſettlement of poſts and ſtages, and providing horſes, as her Majeſty ſhall make.

Conſent of owners, &c. XXIII. *ſect.* 28. No perſon ſhall have power to take any horſes for the ſervices mentioned in this act, without conſent of the owners.

Money due for poſtage. XXIV. *ſect.* 30. All ſums not exceeding 5 l. that ſhall be due for letters, or which ſhall be received for the port of letters, without paying the monies to the receiver-general of the ſaid revenues for her Majeſty's uſe, ſhall be recovered before juſtices of peace, in the ſame manner as ſmall tithes are by the laws of England, and ſuch debt ſhall be preferable in payment before any debt to a private perſon.

Payment of poſtage. XXV. *ſect.* 31. All inland letters ſent by any packet-poſt ſhall pay the rates before mentioned, at ſuch ſtages at which they are delivered, unleſs the party that doth put in the letters deſireth to pay elſewhere, and unleſs ſuch letters are directed on board any ſhip, or to any perſon in the army, or are ſent by the penny-poſt,

and

and unleſs they be letters going out of Great Britain, which have uſually paid the rates in England.

Made perpetual by 3 Geo. 1. cap. 7.

XXVI. *ſect.* 40. No perſon ſhall willingly open, detain, or delay any letter or packet after the ſame is delivered into the poſt-office, or into the hands of any perſon employed for receiving or carrying poſt-letters, and before delivery to the perſons to whom they are directed, or for their uſe, except by warrant of one of the principal ſecretaries of ſtate for every ſuch opening, detaining or delaying, or except where the party to whom ſuch letter, &c. ſhall be directed, ſhall refuſe to pay the ſame, and except letters returned for want of true directions, and where the party cannot be found. Opening or delaying letters.

(2) And every perſon offending in manner aforeſaid, or who ſhall imbezel any ſuch letters or packets, ſhall forfeit 20 l. the ſaid penalties for ſuch offence committed in England, Wales or Berwick, to be recovered in her Majeſty's courts of record at Weſtminſter, and for any offence in Scotland, to be recovered in the court of ſeſſions or exchequer there, by ſuch perſons as will ſue for the ſame, with coſts; and every perſon ſo offending ſhall be incapable of having any office, truſt or employment in the poſt-office. Penalty for offences.

XXVII. *ſect.* 41. No perſon ſhall be capable of the office of poſtmaſter general, or any part thereof, or any other employment relating to the poſt-office, unleſs ſuch perſon ſhall firſt have taken the following oath before ſome juſtice of peace for the county where ſuch perſon reſides; Oath to be taken by officers.

I A. B. *do ſwear, that I will not wittingly, willingly, or knowingly, open, detain, or delay, or cauſe, procure, permit or ſuffer to be opened, detained, or delayed any letter or letters, packet or packets which ſhall come into my hands, power or cuſtody, by reaſon of my employment in or relating to the poſt-office, except by the conſent of the perſon or perſons to whom the ſame is or ſhall be directed, or by an expreſs warrant in writing under the hand of one of the principal ſecretaries of ſtate for that purpoſe, or except in ſuch caſes where the party or parties to whom ſuch letter or letters, packet or packets ſhall be directed, or who is or are hereby chargeable with the payment of the port or ports thereof, ſhall refuſe or neglect to pay the ſame, and except ſuch letters or packets as ſhall be returned for want of true directions, or when the party or parties to whom the ſame is or ſhall be directed cannot be found; and that I will not any way imbezel any ſuch letter or letters, packet or packets as aforeſaid.* The oath.

XXVIII. *Brit. Stat* 6 *Geo.* 1. *cap.* 21. *ſect.* 51. Bills of exchange wrote on the ſame piece of paper with a letter, and alſo letters to ſeveral perſons wrote on the ſame piece of paper, ſhall be rated as ſo many diſtinct letters. Bills of exchange, &c.

XXIX. *ſect.* 52. The proviſo in the 9 *Ann. cap.* 10. *ſect.* 13. ſhall extend only to ſuch merchants accounts, bills of exchange, invoices and bills of lading, as ſhall be ſent to or from the general poſt-office in London to or from any parts beyond the ſeas, not within his Majeſty's dominions; and all other merchant's accounts, bills of exchange, invoices and bills of lading, ſhall be rated as ſo many ſeveral letters. Merchants accounts, &c.

XXX. *Brit. Stat.* 22 *Geo.* 2. *cap.* 25. *ſect.* 1. The act 9 *Ann. cap.* 10. ſhall not reſtrain the letting out for hire chaiſes or calaſhes, or to the furniſhing horſes for drawing the ſame, at any ſtage upon any poſt road, but all perſons may let out for hire, as well upon the poſt road as elſewhere, chaiſes duly licenſed, with horſes to draw the ſame, and may furniſh and exchange horſes for that purpoſe. Hiring out chaiſes.

XXXI. *ſect.*

Horſes and furniture.

XXXI. *ſect.* 2. All perſons who let out chaiſes, &c. for hire, may let out horſes and furniture for horſing perſons accompanying perſons who travel in ſuch chaiſes, &c. and may change ſuch horſes and furniture in manner before mentioned.

Writs and proceedings at law.

XXXII. *Brit. Stat.* 26 *Geo.* 2. *cap.* 13. *ſect.* 1. *Whereas by Stat.* 9 *Ann. cap.* 10. *the poſtmaſter general and his deputies are authorized to demand and take for the portage of every ſingle letter, or piece of paper ſent to and from the general poſt-office in London, to and from any parts or places in Great Britain, or the kingdom of Ireland, certain rates in the ſaid act mentioned: and whereas writs or other proceedings at law are frequently ſent incloſed in a letter, or wrote upon the ſame piece of paper with a letter:* every writ and every proceeding at law ſhall be rated and paid for as a ſeveral and diſtinct letter, according to the rates mentioned in the ſaid act.

Patterns of cloth, &c.

XXXIII. *ſect.* 2. And whereas patterns of cloth, ſilk, ſtuff, and ſmall ſamples of other ſorts of goods and other things, not being paper, are frequently ſent incloſed in a ſingle letter or piece of paper; for every ſingle letter or cover containing papers with patterns, or containing patterns of cloth, ſilk, or ſtuff, or ſamples of any goods, or pieces of any ſort of thing incloſed therein, or affixed thereto, though not paper, if the ſame together do not weigh an ounce weight, the rates payable by the ſaid act for a double letter ſhall be paid, and no more.

Privilege of members of parliament.

XXXIV. *Brit. Stat.* 4 *Geo.* 3. *cap.* 24. *ſect.* 1. *Whereas under colour of the privilege of ſending and receiving poſt letters by members of parliament, free from the duty of poſtage, many great and notorious frauds are frequently practiſed, as well in derogation of the honour of parliament, as to the detriment of the publick revenue; divers perſons having preſumed to counterfeit the hand, and otherwiſe fraudulently to make uſe of the names of members of parliament, upon letters and packets to be ſent by the poſt, in order to avoid the payment of the duty of poſtage: and whereas the allowance of ſending and receiving letters and packets free from the duty of poſtage, heretofore granted to, or cuſtomarily exerciſed by, certain perſons not being members of parliament, in reſpect of their offices, has not been ſufficiently confined to ſuch letters and packets only as relate to the buſineſs of their reſpective offices, and may therefore, if continued without further reſtrictions and limitations, be liable to great abuſe: in order therefore to put the more effectual ſtop to theſe and the like frauds and abuſes, and at the ſame time to aſcertain for the better guidance and direction of his Majeſty's poſtmaſter-general, and the officers to be employed under him in the performance of their duty, by what perſons only, and under what regulations or reſtrictions the privilege or allowance of ſending and receiving letters and packets free from the duty of poſtage, ſhall thenceforth be enjoyed and exerciſed,* after the firſt day of May one thouſand ſeven hundred and ſixty four, ſo long as the revenue ariſing in the general letter-office or poſt-office, or office of poſtmaſter-general, ſhall continue to be carried to, and made part of the aggregate fund, no letters or packets ſent by the poſt, to or from any place whatſoever, ſhall be exempted from paying the duty of poſtage, according to the rates eſtabliſhed by the ſeveral acts of parliament now in force; other than ſuch letters and packets as are herein after excepted, and in ſuch manner, and under ſuch reſtrictions, as are herein after declared; that is to ſay, except all ſuch letters and packets as ſhall be ſent from or to the King's Majeſty.

Counterfeiting franks.

Privilege in offices.

Abuſes in offices.

Direction of poſt-officers.

Letters exempt from poſtage.

Superſcription of letters, &c.

(2) All letters and packets, not exceeding the weight of two ounces, ſent from and to any places (within the kingdoms of Great Britain or Ireland) during the ſitting of parliament, or within forty days before or forty days after any ſummons or prorogation of the ſame, which ſhall be ſigned on the outſide thereof, by any member of either of the two houſes of parliament of Great Britain, and whereof the whole ſuperſcription ſhall be of the hand-writing of ſuch member, or which

ſhall

ſhall be directed to any member of either houſe of the parliament of Great Britain, at any of the places of his uſual reſidence, or at the place where he ſhall actually be at the time of the delivery thereof, or at the houſe of parliament, or the lobby of the houſe of parliament of which he is a member.

Letters and packets in Ireland.

XXXV. *ſect.* 2. *And except* all letters and packets, not exceeding the weight of two ounces, ſent from and to any places within the kingdom of Ireland, during the ſitting of any ſeſſion of parliament of Ireland, or within forty days before or forty days after any ſummons or prorogation thereof, which ſhall be ſigned on the outſide thereof, by any member of either of the two houſes of the parliament of Ireland, and whereof the whole ſuperſcription ſhall be of the hand writing of ſuch member.

Letters from Great Britain to Ireland.

(2) Or which being ſent, during ſuch time as aforeſaid, from any part of Great Britain or Ireland, to any part of Ireland, ſhall be directed to any member of either houſe of parliament of Ireland, at any of the places of uſual reſidence, or at the place where he ſhall actually be at the time of the delivery thereof, or at the houſe of parliament, or the lobby of the houſe of parliament of which he is a member.

Treaſury, ſecretaries, admiralty, &c.

XXXVI. *ſect.* 3. *And except* letters and packets directed to the lord high treaſurer, or commiſſioners of the treaſury, or the ſecretaries to the treaſury: to the lord high admiral, or commiſſioners of the admiralty, or the ſecretaries of the admiralty; to his Majeſty's principal ſecretaries of ſtate, or their under ſecretaries; to the commiſſioners for trade and plantations, or their ſecretary; to his Majeſty's ſecretary at war, or the deputy ſecretary at war; or to his Majeſty's lieutenant general, or other chief governor or governors of Ireland, and his or their chief ſecretary, his or their ſecretary for the provinces of Ulſter and Munſter in that kingdom, his or their ſecretary reſiding always in Great Britain, the under ſecretary and firſt clerk in the office in Ireland of the ſaid chief ſecretary; the firſt clerk in the office in Ireland of the ſaid ſecretary for the provinces of Ulſter and Munſter; or to his Majeſty's poſtmaſter-general for that part of Great Britain called Scotland, for the kingdom of Ireland, or for his Majeſty's dominions in America reſpectively; or to the ſecretary of ſuch poſtmaſter-general, or deputy of the poſtmaſter-general, or to the farmer of the bye and croſs road letters, or to any of the ſurveyors of the poſt-office, all for the time being.

Chief governors and ſecretaries in Ireland.

Poſtmaſters and their ſecretaries.

Letters franked by officers.

XXXVII. *ſect.* 4. *And except* all letters and packets ſent from any of the ſaid officers for the time being, which ſhall be ſigned on the outſide thereof by ſuch officer, and whereof the whole ſuperſcription ſhall likewiſe be of the hand writing of ſuch officer.

Letters for his Majeſty's ſervice.

XXXVIII. *ſect.* 5. And alſo, except all letters and packets ſent from the treaſury, the admiralty-office, the office of his Majeſty's principal ſecretaries of ſtate, the plantation-office, the war-office, or from the general poſt-office at London, or from any of the chief officers at Edinburgh, at Dublin or in America, and which ſhall appear, by an indorſement made thereupon by ſome perſon properly authorized as herein after mentioned to make the ſame, to be upon his Majeſty's ſervice, and ſhall be ſealed with the ſeal of the office, or with the ſeal of the principal officer in the office or department from which they are ſent.

Liſts of names of perſons authorized to frank.

XXXIX. *ſect.* 6. *And, for more effectually preventing all ſuch frauds and abuſes as might otherwiſe be practiſed under colour of the allowance hereby granted and continued, of ſending letters and packets from the ſeveral offices and officers herein before mentioned, free from the duty of poſtage*; it ſhall be lawful for the lord high treaſurer or commiſſioners of the treaſury, the lord high admiral or commiſſioners of the admiralty, his Majeſty's principal ſecretaries of ſtate, the commiſſioners for trade and plantations, his Majeſty's ſecretary at war, his Majeſty's poſtmaſter-general, and the deputies of the poſtmaſter-general herein before mentioned, all for the time being,

ing, to authorize and direct certain perſons in each of their offices or departments reſpectively, a liſt of whoſe names ſhall be from time to time tranſmitted by the principal officers authorizing the ſame, to the general poſt-office in London, to make and ſubſcribe an indorſement upon each letter or packet which ſhall concern the publick buſineſs of their reſpective offices, ſignifying that ſuch letter or packet is upon his Majeſty's ſervice, and to ſeal the ſame with the ſeal of ſuch office or officer reſpectively; all which perſons are hereby ſtrictly forbid ſo to indorſe and ſeal any letter or packet whatſoever, unleſs ſuch only concerning which they ſhall receive the ſpecial direction of their ſuperior officer, or which they ſhall themſelves know to concern the buſineſs of their reſpective offices.

Penalties for franking letters.

XL. *ſect.* 7. If any perſon employed in any of the ſaid offices, ſhall knowingly make and ſubſcribe ſuch indorſement, or procure the ſame to be made upon any letter or packet, which does not really concern the buſineſs of the office in reſpect of which he is authorized to make the ſame, he ſhall, for the firſt offence, forfeit five pounds, to be recovered and applied in ſuch manner as by the act of the ninth year of the reign of Queen Anne for *eſtabliſhing a general poſt-office*, is directed, with reſpect to the penalties inflicted by the ſaid act; and, for the ſecond offence, ſhall be diſmiſſed from his office.

Number of perſons authorized to frank.

XLI. *ſect.* 8. The number of perſons ſo to be appointed in each of the offices abovementioned, to make and ſubſcribe ſuch indorſement as aforeſaid, ſhall not exceed two in any one office or department, except only in the admiralty-office and the war-office; and the number ſo to be appointed in the admiralty-office, ſhall not exceed eight in time of peace, or twelve in time of war; and the number ſo to be appointed in the war-office, ſhall not exceed ſix in time of peace, or ten in time of war.

Perſons diſabled from writing.

XLII. *ſect.* 9. In caſe any perſon intitled to ſend letters or packets free of the duty of poſtage, being, by bodily infirmity diſabled from writing the whole ſuperſcription of ſuch letters or packets, ſhall chuſe to authorize and appoint ſome one perſon, on his behalf and in his ſtead, to ſign his name upon, and write the ſuperſcription of ſuch letters and packets, and ſhall cauſe notice thereof in writing, under his hand and ſeal, to be tranſmitted to the poſtmaſter-general; all letters and packets, ſo ſigned and ſuperſcribed by the perſon ſo authorized and appointed, ſhall be allowed to paſs free of the duty of poſtage, and ſhall, in all reſpects, be proceeded with, as if the whole ſuperſcription had been of the hand writing of the perſon by whom ſuch authority was given.

Printed votes, news-papers, &c.

XLIII. *ſect.* 10. Nothing herein contained ſhall extend to charge with the duty of poſtage, any printed votes, or proceedings in parliament, or printed news-papers, being ſent without covers, or in covers open at the ſides, which ſhall be ſigned on the outſide thereof, by the hand of any member of parliament, in ſuch manner as hath been heretofore practiſed, or which ſhall be directed to any member of parliament, at any place whereof he ſhall have given notice in writing to the poſtmaſter-general, or to his deputy at Edinburgh or Dublin reſpectively, but that all ſuch votes, proceedings, and news-papers, ſo ſent and ſigned or directed as aforeſaid, ſhall be received free of the duty.

Covers of news-papers to be open at the ſides.

XLIV. *ſect.* 11. *And foraſmuch as it hath been uſual for the clerks in the offices of his Majeſty's principal ſecretaries of ſtate, and alſo for certain officers in the office of his Majeſty's poſtmaſter-general, to frank printed votes, proceedings in parliament, and printed news-papers to be ſent by the poſt*; it ſhall be lawful for ſuch clerks and officers as aforeſaid, being thereunto licenſed by his Majeſty's principal ſecretaries of ſtate, or his Majeſty's poſtmaſter-general reſpectively, to continue to frank ſuch printed votes and proceedings in parliament, and printed news-papers, in ſuch manner as they

they have heretofore been accuſtomed to frank the ſame; provided that ſuch printed votes, proceedings, and news-papers, ſhall be ſent without covers, or in covers open at the ſides.

Searching packets open at the ſides.

XLV. *ſect.* 12. It ſhall be lawful for his Majeſty's poſtmaſter-general, or any of the officers employed under him, to examine and ſearch any packet ſent without a cover, or in a cover open at the ſides, in order to diſcover whether any other paper or thing be incloſed or concealed in or with ſuch printed paper, as is hereby permitted to be ſent free of poſtage without a cover, or in a cover open at the ſides.

Other writings to be charged.

(2) And in caſe any other paper or thing ſhall be found to be incloſed or concealed in or with ſuch printed paper, or in caſe there ſhall be any writing, other than the ſuperſcription upon ſuch printed paper, or upon the cover thereof, the whole of ſuch packet ſhall be charged with the duty of poſtage, according to the rates eſtabliſhed by the ſeveral acts of parliament now in force for that purpoſe.

Counterfeiting franks, felony.

XLVI. *ſect.* 13. If any perſon ſhall, after the firſt day of June one thouſand ſeven hundred and ſixty four, counterfeit the hand writing of any perſon whatſoever, in the ſuperſcription of any letter or packet to be ſent by the poſt, in order to avoid the payment of the duty of poſtage, every perſon ſo offending, ſhall be deemed guilty of felony, and ſhall be tranſported for ſeven years.

Recital of the act 9 Ann.

XLVII. *Brit. Stat. 5 Geo. 3. cap. 25. ſect. 8. Whereas by certain clauſes in the ſaid act, made in the ninth year of the reign of her late Majeſty Queen Anne, it is enacted, that all letters and packets, that by any maſter of any ſhip or veſſel, or any of his company, or any paſſengers therein, ſhould or might be brought to any port town, or which ſhould arrive or touch at any port belonging to any port town within any her Majeſty's dominions, or any the members thereof, or which ſhould be on board any ſhip or veſſel, which ſhould, or did touch or ſtay at any ſuch port town (other than ſuch letters as in the ſaid act are excepted) ſhould, by ſuch maſter, paſſenger, or other perſon or perſons, be forthwith delivered unto the deputy or deputies of ſuch poſtmaſter-general for the time being, by him appointed for ſuch place or port town, and to be by ſuch deputies ſent poſt to the ſaid general poſt-office, to be delivered according to the ſeveral and reſpective directions of the ſame; upon pain of forfeiting the ſum of five pounds of Britiſh money for every ſeveral offence againſt the tenor of the ſaid act: and whereas the ſaid proviſion, in the ſaid above recited clauſe, hath been found ineffectual for the purpoſes intended*; it *is* therefore further enacted, that no ſhip or veſſel ſhall be permitted to break bulk, or to make any entry in any port in the Britiſh dominions, until all letters and packets brought by any maſter of any ſuch ſhip or veſſel, or by any of his company, or any paſſenger on board the ſame, to any port in the ſaid dominions where poſts are or hereafter may be eſtabliſhed, and from whence ſuch letters and packets can or may be diſpatched by poſt, ſhall be delivered to the deputies, or agents of the ſaid poſtmaſter-general, to be by them forwarded, according to the reſpective directions, in the ſame courſe that other letters are ſent from ſuch reſpective ports; except ſuch letters, commiſſions, and other things, as are excepted in the ſaid act made in the ninth year of the reign of her late Majeſty Queen Anne; and alſo, except all ſuch letters and packets as ſhall or may be brought in any ſhip or veſſel liable to the performance of quarantine; all which letters or packets laſt mentioned ſhall be delivered by the perſons having poſſeſſion thereof, to the perſons appointed to ſuperintend the quarantine, that all proper precautions may be by them taken before the delivery thereof; and when due care has been had therein, the ſaid letters or packets ſhall be by them diſpatched, in the uſual and accuſtomed manner, by the poſt.

Letters brought by ſhips to be delivered to the poſt-maſter.

Neglecting or refuſing to deliver letters.

XLVIII. *ſect.* 9. And all maſters, mariners, paſſengers, and other perſons, neglecting or refuſing to deliver the letters or packets brought by them as aforeſaid, ſhall, for every ſuch neglect or refuſal reſpectively, forfeit twenty pounds, to be ſued for and recovered by action of debt, bill, plaint, or information, in any court of record within the kingdom, or place where the offence ſhall be committed; and no eſſoin, privilege, protection, or wager of law, ſhall be admitted; one moiety of the ſaid penalty to his Majeſty, and the other moiety thereof to ſuch perſons who ſhall inform againſt ſuch offender, and ſue for the ſaid penalties and forfeitures; and for every recovery ſuch perſons, ſo informing and proſecuting for the ſaid penalties and forfeitures ſhall recover and have alſo taxed and paid their full coſt of ſuit.

One penny for every letter.

XLIX. *ſect.* 10. And it ſhall be lawful for the ſaid deputies to demand, and take, for every ſuch letter and packet ſo delivered from any ſhip or veſſel, other than packet boats, to ſuch deputies at the ports in his Majeſty's dominions, as ſhall be directed to any place within the town belonging to ſuch port, or within the limits of the delivery of letters and packets by ſuch deputies, the ſum of one penny, over and above what may now be received for the ſame.

Poſtage for one ſtage.

L. *ſect.* 11. The rates now payable for the poſtage of letters and packets, ſent or conveyed by the general poſt, not exceeding one poſt ſtage in Great Britain and Ireland, and not exceeding two poſt ſtages in that part of Great Britain called England, do ceaſe and determine.

New rates eſtabliſhed.

(2) And it ſhall be lawful for the ſaid poſtmaſter-general, and his deputies by him thereunto ſufficiently authorized, to and for the uſe of his Majeſty, to demand and take, for the port and conveyance of all ſuch letters and packets which he ſhall convey, or ſend poſt within the kingdom of Great Britain and Ireland, according to the ſeveral rates hereafter mentioned (the ſame being rated either by the letter, or by the ounce) that is to ſay,

One penny for one poſt-ſtage.

LI. *ſect.* 12. For the port or conveyance of every ſingle letter, ſo conveyed or carried by the poſt as aforeſaid, not exceeding one whole poſt ſtage from the office where ſuch letter may be put in, within the kingdoms aforeſaid, the ſum of one penny; for every double letter, two pence; for every treble letter, three pence; and for every ounce, four pence; and ſo in proportion for every packet of deeds, writs, or other things.

Two pence for two poſt-ſtages.

(2) And for the port and conveyance of every ſingle letter, ſo conveyed or carried by the poſt as aforeſaid, above one poſt ſtage, and not exceeding two poſt ſtages from the office where ſuch letter may be put in, within that part of Great Britain called England, the ſum of two pence; for every double letter four pence; for every treble letter, ſix pence; and for every ounce, eight pence; and ſo in proportion for every packet of deeds, writs, or other things.

New poſt thro' Scotland to Ireland.

LII. *ſect.* 14. *And whereas for the more ready and extenſive conveyance of letters and packets between that part of Great Britain called England, and Ireland, and for the conveniency of trade and commerce between the ſaid kingdoms, it may be convenient and expedient to improve the communication for the conveyance of ſuch letters and packets by the poſt through Carliſle, Dumfries, and Port-Patrick, or ſome other convenient port in Scotland; and through Donaghadee, or ſome other convenient port in Ireland*; it *is* further declared and enacted, that it ſhall be lawful for the poſtmaſter-general, and his deputies by him thereunto ſufficiently authorized, to demand and take, for the port and conveyance of all letters and packets, paſſing and repaſſing by the poſt between England and Ireland, through Carliſle, Dumfries, Port-Patrick and Donaghadee, or other convenient ports in Scotland and Ireland, the ſame rates or ſums for Engliſh poſtage, according to the number of miles or ſtages ſuch letters and packets are carried by the poſt in England, as alſo

Engliſh poſtage.

the

the ſame rates or ſums for Scotch poſtage, according to the number of miles or ſtages ſuch letters and packets are carried by the poſt in Scotland, and moreover the ſame rates or ſums for packet poſtage between Port-Patrick and Donaghadee, or other convenient ports in Scotland and Ireland, as likewiſe the ſame rates or ſums for Iriſh poſtage, according to the number of miles or ſtages ſuch letters are carried by the poſt in Ireland, as are reſpectively ſettled, eſtabliſhed, and aſcertained, by the ſaid act made in the ninth year of the reign of her ſaid late Majeſty Queen Anne, or by this preſent act. Scotch poſtage. Packet poſtage. Iriſh poſtage.

LIII. *ſect.* 15. And ſo much of the ſaid act, made in the ninth year of the reign of her late Majeſty Queen Anne, as directs, that the rates to be paid for the conveyance of letters, to be ſent by packet boats between Port-Patrick and Donaghadee, ſhall be paid at the place where ſuch letters are delivered, in order to be ſent by ſuch packet-boats, is hereby repealed. Part of the act, 9 Ann. repealed.

LIV. *ſect.* 16. *And to the end that all letters or packets may be charged with poſtage, according to the rated diſtance they are reſpectively carried by the poſt, and for preventing all diſputes touching the ſame*; it *is* further enacted, that it ſhall be lawful for ſuch perſons as the poſtmaſter-general for the time being ſhall appoint, to meaſure, or cauſe to be meaſured, by the wheel, all the poſt roads which are now ſettled and eſtabliſhed, or which ſhall hereafter be ſettled and eſtabliſhed, in any part of the kingdoms of Great Britain and Ireland, and other the Britiſh dominions. Meaſuring roads by the wheel.

LV. *ſect.* 17. Provided that ſuch perſons, who ſhall be ſo appointed to meaſure the ſaid diſtances, and every of them, ſhall be ſworn to perform the ſame according to the beſt of their ſkill and judgment; which oath ſhall be adminiſtered by any juſtice of the peace, who is hereby required to adminiſter the ſame, and to make certificates thereof in writing, to be entered without fee or charge, in the three chief poſt-offices in Great Britain and Ireland. Meaſurers to be ſworn.

LVI *ſect.* 18. And ſuch perſons, ſo to be appointed by ſuch poſt-maſter ſhall, and they are hereby required to cauſe fair ſurveys or books to be made out; one of each whereof ſhall be left with his Majeſty's poſt-maſter general in London, another of each to be left at the chief poſt-office in Edinburgh with the poſt-maſter general's deputy there, another of each to be left in the chief poſt-office at Dublin with the poſt-maſter general's deputy there, to remain in the ſaid poſt-offices. Books of ſurveys to be made.

(2) Each of which ſaid ſurveys or books ſhall be ſigned by the perſons making the ſame; who are hereby reſpectively required to make oath of the truth of ſuch ſurveys; which oaths ſhall be adminiſtered by any juſtice of the peace, who is hereby required to adminiſter the ſame; and a certificate of his or their having ſworn to the truth thereof ſhall be ſigned by the poſt-maſter general for the time being, or by his deputies, in ſuch chief poſt-offices in Great Britain and Ireland, which books and ſurveys ſhall determine the diſtances on all the ſaid poſts roads. Oath to be made of the truth of ſurveys.

LVII. *ſect.* 19. And in caſe of any ſuſpicion of error or wrong admeaſurement, it ſhall be lawful for the ſaid poſt-maſter general to cauſe new ſurveys to be made; and the laſt ſurveys which ſhall be made, and ſhall be verified and atteſted as above directed, ſhall in all courts of juſtice, be evidence of the diſtances on ſuch poſt roads; and all rates granted by any former acts, or by this preſent act, for the port or conveyance of letters and packets, ſhall be paid and taken according to ſuch ſurveys. New ſurveys may be ordered.

LVIII. *ſect.* 20. And it ſhall be lawful for the poſtmaſter-general for the time being, and his deputies by him thereunto ſufficiently authorized, to ſettle and eſtabliſh an office, to be called the Penny Poſt-Office, in any city or town, and the ſuburbs thereof, and places adjacent, within the kingdoms of Great Britain and Ireland, where ſuch poſt ſhall, by the poſtmaſter-general, be adjudged neceſſary Penny poſt-offices.

and convenient; and to demand, and take, the ſame rates for the poſtage and conveyance of all letters and packets, conveyed by ſuch penny poſt, as are or may be taken for the carriage of letters and packets, ſent or conveyed by the carriage called the Penny Poſt, eſtabliſhed and ſettled within the cities of London and Weſtminſter, and borough of Southwark, and parts adjacent, according to the extent and meaning of the ſaid act made in the ninth year of her ſaid late Majeſty Queen Anne, and of an act made in the fourth year of his late Majeſty King George the ſecond, and of this preſent act.

Licence to collect letters.

LIX. *ſect.* 21. And when ſuch penny poſt-offices ſhall be ſettled and eſtabliſhed in ſuch cities, towns, ſuburbs, or places adjacent, within the kingdoms of Great Britain and Ireland, no perſon ſhall make any collection of letters or packets in or near ſuch city, town, ſuburbs, or places, where ſuch penny poſt-office ſhall be eſtabliſhed, without licence or leave of the poſtmaſter-general for the time being; upon pain of incurring the forfeitures and penalties to be forfeited and paid by perſons collecting, receiving, carrying, recarrying and delivering letters, contrary to the ſaid act made in the ninth year of the reign of her ſaid late Majeſty Queen Anne, to be recovered in manner as by the ſaid act is directed, and with full coſts of ſuit.

Weight of letters not to exceed four ounces.

LX. *ſect.* 23. *And whereas the weight of letters and packets, ſent or conveyed by the carriage called the Penny Poſt, hath not yet been aſcertained by any law or ſtatute: and whereas many heavy and bulky packets and parcels are now ſent and conveyed by ſuch carriage, which by their bulk and weight, greatly retard the ſpeedy delivery thereof*; it *is* therefore enacted, that no letter, packet, or parcel whatſoever, ſhall be forwarded, ſent, or conveyed, by any carriage called the Penny Poſt already eſtabliſhed, or hereafter to be eſtabliſhed, if the weight of ſuch letter, packet, or parcel ſhall exceed the weight of four ounces, other than ſuch letters or packets, as have firſt come by the poſt to the general poſt-office, or ſhall be paſſing by the ſaid carriage called the Penny Poſt, into the ſaid general poſt office.

Rates of foreign poſtage repealed.

LXI. *ſect.* 24. *And whereas by the ſaid act, made in the ninth year of the reign of her ſaid late Majeſty Queen Anne, certain rates are eſtabliſhed for all letters paſſing from London through the Spaniſh Netherlands, or the United provinces, to Hamburgh (poſt-paid to Antwerp or Amſterdam) and from Hamburgh through the Spaniſh Netherlands, or the United Provinces, to London*; it *is* enacted, that ſo much of the ſaid act, made in the ninth year of the reign of her ſaid late Majeſty Queen Anne, as eſtabliſhes the rates laſt above mentioned, ſhall be, and the ſame is hereby repealed; and the ſaid rates ſhall from thenceforth ceaſe and determine: and it ſhall be lawful to and for the ſaid poſtmaſter-general, and his deputies by him thereunto ſufficiently authorized, for the uſe of his Majeſty, to demand, and take, for the port and conveyance of all letters and packets, ſent or conveyed by the poſt from London to Hamburgh, or from Hamburgh to London, the ſame rates which, by the ſaid act made in the ſaid ninth year of the reign of her ſaid late Majeſty Queen Anne, are ſettled and appointed to be taken for all letters and packets paſſing by the poſt from London to all other parts of Germany.

New rates eſtabliſhed.

Payment on letters being put in.

LXII. *ſect.* 25. And it ſhall be lawful for the ſaid poſtmaſter-general, and his deputies, if ſuch poſtmaſter-general ſhall deem it neceſſary and expedient, to cauſe the rates for the poſtage of all letters and packets which are to be ſent by the poſt out of the kingdom of Great Britain, to be paid upon their being put into any poſt-office within the ſaid kingdom.

Secreting or embezzling letters.

(2) And if any deputy, clerk, agent, letter-carrier, or other officer whatſoever, appointed, or to be hereafter appointed and employed in the buſineſs of the poſt-office, ſhall ſecrete, embezzel, or deſtroy, any letter, packet, bag, or mail of letters, which they

they ſhall be reſpectively entruſted with, or which ſhall have come to their hands or poſſeſſion, by virtue of their reſpective employments in the ſaid poſt-office, containing any bank-note, bank poſt bill, bill of exchange, exchequer bill, South Sea or Eaſt India bond, dividend warrant of the bank, South Sea, Eaſt India, or any other company, ſociety, or corporation, navy or victualling bill, ſeaman's ticket, ſtate lottery ticket, goldſmith's note for the payment of money, or other bond or warrant, bill, or promiſſary note for the payment of money, or American provincial bill of credit.

Stealing bills, &c. out of letters.

(3) Or ſhall ſteal and take, out of any letter or packet that ſhall come to their hands or poſſeſſion, by virtue of their reſpective employments, any ſuch bank-note, bank poſt bill, bill of exchange, exchequer bill, South Sea or Eaſt India bond, dividend warrant of the bank, South Sea, Eaſt India, or any other company, ſociety, or corporation, navy or victualling bill, ſeaman's ticket, ſtate lottery ticket, goldſmith's note for the payment of money, or other bond or warrant, or promiſſary note for the payment of money, or American provincial bill of credit, with intent to ſecrete, embezzel, or deſtroy the ſame; every ſuch offender, being thereof convicted in due form of law, ſhall be deemed guilty of felony, and ſhall ſuffer death as a felon.

Robbing the mails.

LXIII. *ſect.* 26. If any perſon whatſoever ſhall rob any of his Majeſty's mails of any letter or packet, bag or mail of letters, although ſuch robbery ſhall not appear, or be proved, to be a taking from the perſon, or upon the King's highway, or to be a robbery committed in any dwelling-houſe, or any coach-houſe, ſtable, barn, or any out-houſe belonging to a dwelling-houſe.

Without putting in fear.

(2) And although it ſhould not appear that any perſons were put in fear by ſuch robbery, yet ſuch offenders, being thereof convicted as aforeſaid, ſhall nevertheleſs reſpectively be deemed guilty of felony, and ſuffer death as a felon.

Embezzling money received.

LXIV. *ſect.* 27. If any deputy, clerk, agent, letter carrier, or other ſervant, appointed, authorized, and intruſted, to take in letters or packets, and to receive the poſtage thereof, ſhall embezzel, or apply to their own uſe, any money by them received with ſuch letters or packets, for the poſtage thereof; or ſhall burn or otherwiſe deſtroy any letter or packet by them ſo taken in or received; or who, by virtue of their reſpective offices, ſhall advance the rates upon letters or packets ſent by the poſt, and ſhall not duly account for the money by them received for ſuch advanced poſtage; every ſuch offender, being thereof convicted as aforeſaid, ſhall be deemed guilty of felony.

Poſt boys deſerting the mail or loitering.

LXV. *ſect.* 28. If any poſt boy or rider, having taken any of his Majeſty's mails, or bags of letters or packets under his care, in order to convey the ſame to the next poſt town or ſtage, ſhall quit or deſert the ſame before his arrival at ſuch poſt town or ſtage, or ſhall ſuffer any other (the perſons employed to guard ſuch mail or bags of letters and packets only excepted) to ride on the horſe or carriage along with the ſaid mails or bags of letters and packets; or ſhall loiter on the road and wilfully miſpend his time, ſo as to retard the arrival of the ſaid mails or bags of letters at the next poſt town or ſtage; or ſhall not, in all poſſible caſes, convey ſuch mails or bags of letters after the rate of ſix Engliſh miles an hour at the leaſt; every ſuch offender, for every ſuch offence, being thereof convicted, either by voluntary confeſſion of the party, or by the oaths of one or more credible witneſſes, before any one or more juſtices of the peace (which oaths the ſaid juſtices are hereby reſpectively required to adminiſter) ſhall be ſent to the houſe of correction, and confined to hard labour for any time not exceeding one month, nor leſs than fourteen days.

Collecting or receiving letters.

LXVI. *ſect.* 29. If any poſt boy or rider, ſhall, by themſelves, or in combination with others, unlawfully collect or receive letters or packets, or convey, or cauſe letters and packets to be unlawfully conveyed, and ſhall thereof be convict d, either

either by the voluntary confeſſion of the party, or by the oath of one or more credible witneſſes, before any juſtice of the peace (which oaths the ſaid juſtices are hereby reſpectively required to adminiſter) every ſuch offender ſhall, for every letter or packet ſo by them unlawfully collected, conveyed, or delivered, forfeit ten ſhillings, to be paid to the informer; and if the ſame ſhall not be forthwith paid upon conviction, it ſhall be lawful for ſuch juſtice to commit ſuch offenders to the houſe of correction, there to remain at hard labour for any ſpace not exceeding two months, nor leſs than one month.

Former acts continued.

LXVII. *ſect.* 30. All and every the clauſes, proviſoes, powers, privileges, advantages, diſabilities, penalties, forfeitures, and methods for the recovery of the ſame matters and things, contained in the ſaid act made in the ninth year of the reign of her ſaid late Majeſty Queen Anne, or in any other acts whatſoever, touching the general-poſt office, or the carriage called the Penny Poſt-office, and not hereby expreſly altered or repealed, ſhall be applied and extended, and ſhall be conſtrued to apply and extend, to this preſent act, as fully and effectually, to all intents and purpoſes, as if the ſame had been particularly repeated and re-enacted in the body of this preſent act.

Rates and penalties to be ſterling money.

LXVIII. *ſect.* 31. All rates or ſums of money eſtabliſhed or appointed by this act, and alſo all ſums of money impoſed as forfeitures or penalties, and all ſums of money required to be paid, and all other monies herein mentioned, ſhall be deemed and taken to be ſterling money of Great Britain, and ſhall be collected, taken, recovered, and paid, to the amount of the value which ſuch nominal ſums bear in Great Britain.

Application of the poſtage.

LXIX. *ſect.* 32. All the monies ariſing by the rates aforeſaid, except the monies which ſhall be neceſſary to defray ſuch expences as ſhall be incurred in the collection and management of the ſame, and all other expences attending the ſaid office, and the due execution of the acts relating thereto, ſhall be appropriated and applied to the ſame uſes, to which the preſent rates of poſtage are reſpectively now by law appropriated and made applicable.

Allowance of charges and diſburſements.

LXX. *ſect.* 33. Provided that all charges, out-goings, and diſburſements, neceſſary for the receipt and management of the ſaid rates, and the rates granted by former acts, and all other expences attending the ſaid office, and the due execution of the ſeveral acts relating thereto, be allowed and paid, in like manner as the ſame have heretofore been allowed, and paid, at any time ſince the commencement of the rates granted by the ſaid act made in the ninth year of the reign of Queen Anne.

Limitation of ſuits.

General iſſue.

LXXI. *ſect.* 35. If any action or ſuit ſhall be commenced againſt any perſon for any thing done in purſuance of this act, the ſame ſhall be commenced within ſix months after the fact committed, and not afterwards; and the defendants in ſuch action or ſuit may plead the general iſſue, and give this act, and the ſpecial matter in evidence; and that the ſame was done in purſuance, and by the authority of this act: and if it ſhall appear ſo to be done, or that ſuch action or ſuit ſhall be commenced after the time before limited for bringing the ſame, then the jury ſhall find for the defendants; and upon a verdict for the defendant, or if the plaintiffs ſhall be nonſuited, or diſcontinue their action or ſuit, after the defendants ſhall have appeared; or if, upon demurrer, judgment ſhall be given againſt the plaintiffs, the defendants ſhall recover treble coſts, and have the like remedy for the ſame, as any defendant hath in any other caſes as by law.

Treble coſts.

Potatoes.

I. *Stat.* 11 *Geo.* 2. *cap.* 11. *ſect.* 12. All potatoes in cities, towns-corporate, market-towns, and elſewhere, ſhall be ſold and delivered by weight, and not by meaſure, or in any other way, and ſuch weight ſhall be according to the Avoirdupois pound, fourteen pounds whereof ſhall make a ſtone, and eight ſtone one hundred weight, which potatoes ſhall be weighed without fee or reward at the beams and ſcales of the reſpective places, to be erected and kept purſuant to this act. Sale by weight.

II. *ſect.* 13. And if any maſter or owner of any ſhip, veſſel, or boat, or any market-man, huckſter, or any other perſon ſelling potatoes, ſhall ſell the ſame any otherwiſe than by weight, and ſhall be convicted thereof before the chief magiſtrate of any city, town, or borough, or before any juſtice of the peace where ſuch offence ſhall be committed, by the oath of one credible witneſs, every perſon ſo offending, ſhall for every offence, not only forfeit the value of all potatoes by them ſold otherwiſe than by weight, but ſhall alſo forfeit ſix pence for every ſtone of potatoes ſo ſold, and ſix pence for any quantity under one ſtone, which forfeitures ſhall be levied by diſtreſs and ſale of the offenders goods, one moiety to be given to the informer, and the other moiety to the poor of the pariſh where ſuch offence ſhall be committed, provided complaint be made within three days after ſuch offence ſhall be committed. Penalty for ſelling by meaſure. Complaint in three days.

This act, as to ſo much as relates to buying and ſelling corn and other things therein mentioned by weight, &c. is made perpetual by Stat. 1. Geo. 3. cap. 17. ſect. 12.

Preſentments.

I. *Stat.* 4 *Ann. cap.* 6. *ſect.* 1. No grand jury within any county or county of a town or city, ſhall preſent any money to be raiſed upon ſuch county, town, or city, or upon any barony or pariſh within the ſame, for any uſes other than what are appointed and allowed by law or herein after contained, and no judge of aſſiſe or juſtice in their quarter-ſeſſions, nor ſheriff or ſeneſchals in their reſpective courts, ſhall confirm any ſuch preſentment. Preſentment for money.

(2) And every grand juryman who ſhall preſent any money to be raiſed, ſhall ſign his name to every ſuch preſentment, and the ſeveral juſtices of the peace, ſheriffs, and ſeneſchals confirming ſuch preſentments, ſhall ſign his name to the order for confirmation thereof, otherwiſe ſuch preſentment and order are void. Void unleſs ſigned.

II. *ſect.* 2. Provided that it ſhall be lawful for the ſaid grand juries to make preſentments, and for the judges, juſtices, ſheriffs, and ſeneſchals, to confirm the ſame for the raiſing of ſuch money as ſhall be neceſſary for the building and repairing of ſeſſion-houſes, and for the repairing and ſtrengthening of gaols, and for bolts or ſhackles, ſtocks, whipping-poſts, ducking-ſtools, pillories, and pariſh pounds, as alſo for conveying of perſons accuſed for any treaſon or felony to the county gaol, being twenty miles diſtance or upwards, ſo as the ſame do not exceed one penny *per* mile; as alſo ſuch ſums as by the ſaid judges ſhall be thought neceſſary for the deſtroying of wolves, kites, and foxes, and for the recovering of public money in the hands of the collectors and receivers thereof, their executors, adminiſtrators, and ſureties. Seſſion houſes, gaols, &c. Conveying felons, &c.

III. *ſect.* 3. No money legally raiſed by preſentment *ſhall* be applied to any other uſe than for what the ſame was raiſed; and if any perſon who ſhall be appointed in the ſaid preſentment and order thereon, to be either the collector, the receiver, or the diſtributer of the money thereby raiſed, ſhall not at the next Application of money preſented.

general

general aſſiſes or quarter-ſeſſions of the county, or in a reaſonable time to be by them reſpectively appointed, make appear in his account with good vouchers, that the money by him ſo raiſed or received ſhall have been expended purſuant to the ſaid preſentment to the uſe of the county, he ſhall ſtill be chargeable with the ſame.

Accounts to be made on oath.

(2) And every perſon accountable for any public money ſhall, when required by the juſtices at their general quarter-ſeſſions, or by the judges of aſſiſe at their general gaol delivery, make their accounts on oath at each general quarter-ſeſſions or aſſiſes, and if ſuch accountants ſhall neglect to make a fair and juſt account of all ſuch public money, or ſhall upon ſuch account be found to have ſuch money or any part remaining in his hands, ſuch accountants ſhall forthwith pay ſuch money into the hands of ſuch perſons, as ſhall by ſuch grand jury, and juſtices of the peace, or juſtices of aſſiſe be preſented and ordered for the uſe of ſuch county, city, or town, where ſuch public money ſhall be raiſed, and in default thereof, ſuch perſons ſo accountable, ſhall, by ſuch juſtices at their ſaid ſeſſions, or juſtices of aſſiſe at their reſpective aſſiſes, be committed to the common gaol in execution, until ſuch account ſhall be made, and ballance paid.

Quarter-ſeſſions.

IV. *ſect.* 4. No money ſhall be raiſed at any quarter-ſeſſions for any public work, or on any account whatſoever, except for taking, convicting, or killing robbers, tories, or raparees, purſuant to the acts made, or for repairing or ſupporting bridges already erected, exceeding twenty pounds in the whole, at one ſuch general quarter-ſeſſions of the peace.

County and city of Dublin.

V. *ſect.* 5. Nothing herein contained ſhall extend to the county of the city of Dublin, or to the county of Dublin, or to reſtrain the raiſing of money by the grand juries of the ſaid city or county, in ſuch manner as the ſame may be raiſed at the aſſiſes in other counties.

Confirming preſentments.

VI. *ſect.* 8. Provided that no preſentment in the Queen's bench for raiſing of money, ſhall be confirmed until the ſixth day of the term next following ſuch preſentment, and ſhall be poſted up in the ſaid court, the firſt five days of the ſaid following term, to the end that all perſons concerned may have notice thereof, and object againſt or traverſe the ſame as they ſhall think convenient.

Money for treaſurers.

VII. *Stat.* 6 *Geo.* 1. *cap.* 10. *ſect.* 10. It ſhall be lawful for the grand juries of the ſeveral counties at the aſſiſes, and at the quarter-ſeſſions for the county of Dublin, and county of the city of Dublin, to make preſentments if they think fit, and for the judges and juſtices of the peace to confirm the ſame, for the raiſing of any ſum not exceeding twenty pounds *per annum*, to be paid to the treaſurer of each county, and alſo a ſum not exceeding ten pounds *per annum*, to be paid to the gaoler of each county, and alſo a ſum not exceeding five pounds *per annum*, to be paid to the keeper of the houſe of correction of each county.

Treaſurers accounts upon oath.

VIII. *ſect.* 11. The treaſurer or receiver of public money in each county, ſhall make up his accounts upon oath of all his receipts and payments at every aſſiſes, and for the county of Dublin, and county of the city of Dublin, at the King's bench, and quarter-ſeſſions to be held for the ſaid counties as often as he ſhall be required by the judges of the King's bench, or juſtices of the peace, and lay them fairly written on the firſt day of the ſaid aſſiſe, term or ſeſſions, before the grand jury for ſuch county where he is appointed treaſurer, to be viewed, allowed, or diſapproved of by the ſaid grand jury, who ſhall cauſe the ſame to be entered in the county book with ſuch remarks and obſervations as they ſhall think fit to make thereon.

(2) And

(2) And no treaſurer ſhall compound for any money to be raiſed on the public, nor make any deduction whatſoever for any ſum he ſhall pay to any perſon but ſuch as he ſhall account for; and if any treaſurer ſhall offend herein, and neglect to make up his accounts as aforeſaid, he ſhall be for ever incapable to ſerve as treaſurer or public receiver of the county, and be committed without bail or mainprize to the county gaol till he fairly accounts. No compoſition or deduction.

This act, except ſome clauſes which relate to the pariſh watches of Dublin, is made perpetual by Stat. 10 Geo. 1. cap. 3. ſect. 1.

IX. *Stat.* 1 *Geo.* 2. *cap.* 13. *ſect.* 16. No money ſhall be raiſed on any county or barony, upon any preſentment to be made at any general quarter-ſeſſions to be held for any county, except for the county of Dublin, and the county of the city of Dublin, but for the uſes of the houſes of correction, and the keepers thereof. No preſentments at ſeſſions.

X. *Stat.* 7 *Geo.* 2. *cap.* 12. *ſect.* 2. The grand jury for the county of Cork ſhall have power, if they ſee fit, to preſent, in the uſual manner, any ſum not exceeding eighty pounds *per annum*, as a ſalary for the treaſurer of the ſaid county, over and above the twenty pounds *per annum* already provided by law. *(See Par.* 7.) Treaſurer of Cork.

XI. *Stat.* 29 *Geo.* 2. *cap.* 14. *ſect.* 1. It ſhall be lawful for the grand juries of the county of the city of Dublin, and the county of Dublin reſpectively, in term time, to make preſentments, and for the judges of the court of King's bench, in open court to confirm the ſame, for the raiſing money on the ſaid counties reſpectively, for every uſe and purpoſe, for which by any law now ſubſiſting, the grand juries, at the aſſizes in the ſeveral counties of this kingdom, are authorized to make preſentments of money; and ſuch preſentments ſo made, at the ſaid court of King's bench, ſhall be under the like powers, regulations, proceſſes, and reſtrictions, as to the raiſing, levying, and duly applying, and accounting for the money ſo preſented, as have been heretofore uſed in the ſaid court of King's bench, or by any law now ſubſiſting are directed, for preſentments of money made at the ſeveral aſſizes in this kingdom. Grand juries of the city and county of Dublin.

XII. *ſect.* 2. It ſhall be lawful for the ſaid grand juries in the ſaid court of King's bench, in term time, to make preſentments, if they think fit, and for the judges of the ſaid court, in open court, to confirm the ſame, of any ſums of money, for the making and repairing of ſewers and drains for carrying off water, or the preventing of water from flowing in or upon any high-roads, lanes, ſtreets, and quays, in the ſaid reſpective counties, and for the making and repairing walls in the ſaid reſpective counties, neceſſary for the keeping off water, and for the ſecurity of paſſengers in any high-road, ſtreet, lane, or quay, where no private perſons, bodies politick or corporate, are obliged to make or repair the ſame. Preſentments in the King's-bench

(2) And alſo any ſums of money, not exceeding five pounds *per annum*, by each the ſaid grand juries, to be paid to the cryer of the courts held by commiſſions of of oyer and terminer, for the ſaid counties, in the four courts in Dublin, for attending the ſervice of the ſaid courts; and alſo any ſums not exceeding in the whole ſix pounds *per annum*, by each of the ſaid grand juries, to be paid to the court-keeper of the ſaid courts, for taking care of the court and the chambers thereunto belonging, and providing the ſame with neceſſary firing, pens, ink, and paper, and duly attending the ſervice of the ſaid court. Crier of the court.

XIII. *ſect.* 3. Provided that no preſentment in the ſaid court of King's bench, for raiſing money, ſhall ſtand abſolutely confirmed, until the ſixth day of the next term following ſuch preſentment. Confirming preſentments.

Notice by poſting up.

XIV. *ſect.* 4. Provided alſo, that ſuch preſentments ſhall be poſted up in the ſaid court, the firſt five days of the following term, to the end that all perſons concerned may have notice thereof, and object againſt, or traverſe the ſame, as they ſhall think convenient, in like manner as hath been heretofore uſed.

Robbery petitions.

XV. *ſect.* 5. Provided alſo, that nothing herein contained ſhall extend to authorize the ſaid grand juries in the court of King's bench, to make preſentments of money on robbery petitions, by virtue of any of the laws now in force for that purpoſe in this kingdom.

Quarter-ſeſſions.

XVI. *ſect.* 6. No money ſhall be raiſed by the preſentment of grand juries, at the quarter-ſeſſions, except at the quarter-ſeſſions for the county of Dublin, and county of the city of Dublin, for any purpoſe whatſoever.

Houſes of correction.

(2) And money for the building, uſe, or repair of houſes of correction, ſhall, for the future, be raiſed by preſentments of grand juries, and confirmed by the judges at the aſſizes, who may appoint overſeers to lay out the money ſo preſented, which ſhall be accounted for, when laid out, in the ſame manner as money preſented for the repair of highways.

Repairs not to exceed 10 l.

XVII. *ſect.* 7. No more money ſhall be preſented for the uſe or repair of any houſe of correction, after the ſame is or ſhall be built, at any one aſſizes, than ten pounds *ſterl.*

Separate from the gaol.

XVIII. *ſect.* 8. Every houſe of correction, which ſhall be hereafter erected, ſhall be built diſtinct and ſeparate from the county gaol, with an apartment therein for the reception of women, diſtinct from that where men ſhall be confined.

High-conſtables.

XIX. *Stat.* 33 *Geo.* 2, *cap.* 13. *ſect.* 3. It ſhall be lawful for the grand juries of the ſeveral counties in the provinces of Munſter and Connaught, at the aſſizes to make preſentments, and for the judges to confirm the ſame, for the raiſing of any ſum not exceeding ſix pence in the pound, to be paid to each high conſtable in ſaid counties, who ſhall on the ſecond day of ſuch aſſizes, have paid to the treaſurer of ſuch county, ſuch ſum of money as ſhall by him have been collected off the barony whereof he ſhall then be high conſtable.

Treaſurers.

XX. *ſect* 7. The grand juries of the counties of Galway, Mayo, and Kerry, are impowered to preſent any ſum not exceeding twenty pounds a year for the treaſurers of the ſaid counties, above the preſent ſalaries.

Inſolvencies.

XXI. *ſect.* 7. All ſuch ſums as ſhall appear upon evidence to the reſpective grand juries at the general aſſiſes, to be due from inſolvent high conſtables, ſhall, by preſentment of the ſaid reſpective grand juries, be raiſed for the perfecting of the publick works of ſuch county, affidavit being firſt made by the treaſurer of ſuch county, before the judge of aſſize, of the ſums due on account of ſuch inſolvencies.

Want of due notice.

XXII. *Stat.* 3 *Geo.* 3. *cap.* 7. *ſect.* 1. *Whereas preſentments of grand juries for raiſing publick money are often confirmed for want of due notice, that ſuch preſentments were intended to be made and applied for: for remedy whereof,* no preſentment, except preſentments for bread for priſoners, or for the repairing or ſtrengthening gaols, and for bolts or ſhackles, ſtocks, whipping-poſts, ducking-ſtools, and pillories, and alſo excepting preſentments for conveying of perſons accuſed for any treaſon or felony, to the county gaol, purſuant to an act of parliament made in this kingdom, in the ſeventeenth year of his late Majeſty King George the ſecond, ſhall be confirmed, unleſs ſeven days notice (diſtinguiſhing therein the barony to be charged by ſuch preſentment, if to be a barony charge) at leaſt thereof ſhall be given

Preſentments for priſoners bread.

Accuſed of treaſon or felony.

Seven days notice.

ven to the treaſurer of the county previous to the aſſizes, in which application ſhall be made for ſuch preſentment, and which notice ſhall be given in writing and poſted up by the ſaid treaſurer; or in caſe of his being diſabled by ſickneſs, or abſence, by ſuch perſon as he ſhall appoint to perform the ſame on the door of the county court-houſe, four days before the ſaid aſſizes, and in the grand jury-room, on the firſt day of the ſaid aſſizes; of all which the ſaid treaſurer, or ſuch perſon as he ſhall in caſe of ſickneſs or abſence as aforeſaid appoint, ſhall make an affidavit before one of the judges of aſſize before any preſentment (except as before excepted) ſhall be confirmed.

Previous to the aſſizes.

Poſted on the court houſe door, &c.

Affidavit of treaſurer.

XXIII. *ſect.* 2. The ſaid treaſurer of the county, or in caſe of his ſickneſs or abſence, ſuch perſon as he ſhall appoint as aforeſaid, is hereby required to deliver a fair and true copy in writing of all ſuch notices to the clerk of the crown, *or* in caſe of his abſence to his deputy, on the firſt day of the aſſizes, who, or his deputy, as the caſe ſhall happen, is hereby required to read the ſame publickly in open court, on the ſecond day of the aſſizes, before any other buſineſs is proceeded on, and ſhall at the requeſt of any juſtice of the peace for the ſaid county, during the aſſizes, deliver unto ſuch juſtice, when he ſhall require the ſame, or with all convenient ſpeed afterwards, a fair and true liſt in writing of all ſuch notices, ſuch juſtice paying unto him a Britiſh ſix-pence, and no more, for his trouble.

Clerk of the crown to read notices.

Liſt of notices to juſtices. Fee of ſix-pence.

XXIV. *ſect.* 3. In caſe ſuch treaſurer, or if he ſhall be ſick, ſuch perſons as he ſhall appoint, ſhall omit or neglect to perform what is herein before required of him or either of them, then the ſaid treaſurer ſhall for every ſuch offence forfeit ten pounds; and in caſe the clerk of the crown, or his deputy in caſe of his abſence, upon receiving from the treaſurer the ſaid liſt of all ſuch notices as aforeſaid, ſhall omit or neglect to perform what is herein before required of him, or either of them, the ſaid clerk of the crown ſhall for every ſuch offence forfeit ten pounds.

Neglect of treaſurer. Forfeit 10l.

Clerk of the crown, forfeiture.

XXV. *ſect.* 4. The ſaid forfeitures ſhall be recovered in a ſummary way by civil bill, by any perſon who ſhall firſt ſue for the ſame, at the next general aſſizes for the ſaid county.

Civil-bill for forfeitures.

XXVI. *ſect.* 5. Provided that nothing herein contained ſhall extend to the county of the city of Dublin, or to the county of Dublin.

County and city of Dublin excepted.

XXVII. *Stat.* 5 *Geo.* 3. *cap.* 14. *ſect.* 50. It ſhall be lawful for the ſeveral grand juries in this kingdom to make preſentments, and for the judges to confirm the ſame, for the raiſing of ſuch ſums of money on the county at large, as ſhall be neceſſary for the building or repairing of ſeſſions-houſes, or houſes of correction, and for the building, repairing, or ſtrengthening of gaols, and for bolts or ſhackles, ſtocks, whipping-poſts, ducking-ſtools, and pillories, as ſhall be neceſſary for the ſaid ſeveral uſes and purpoſes; as alſo for conveying of any perſons accuſed of treaſon or felony, to the county gaol, ſo as the ſame do not exceed ſix-pence *per* mile; and alſo for the recovering of publick money in the hands of the collectors and receivers thereof, their executors, adminiſtrators and ſureties.

Preſentment for houſes of correction, and gaols, &c.

XXVIII. *ſect.* 51. And it ſhall be lawful for all high and petty conſtables, or other perſons impowered by this act, to levy money by the diſtreſs and ſale of any perſons goods, to deduct one ſhilling in the pound out of the money ſo levied by ſuch diſtreſs and ſale of ſuch goods, for his trouble in diſtraining and ſelling the ſame.

Fees to conſtables, &c.

Priſons and priſoners.

I. *Eng. Stat.* de frangen. priſon. 1 *Edw.* 2. *ſtat.* 2. None ſhall have judgment of life or member for breaking of priſon only, except the cauſe for which he was impriſoned did require ſuch judgment, if he had been convict thereupon.

Priſon-breaking.

Common gaol. II. *Eng Stat.* 5 *Hen.* 4. *cap.* 10. None ſhall be impriſoned by any juſtice of peace, but in the common gaol, ſaving to the lords and other which have gaols their franchiſe.

Rate for priſoners. III. *Stat.* 17 & 18 *Car.* 2. *cap.* 8. *ſect.* 1. The juſtices of the peace of every county at the general quarter-ſeſſions, or the more part of the ſaid juſtices there preſent, and the mayor, ſheriffs, bailiffs, aldermen and other head officers of the cities, boroughs, places and towns-corporate, which be counties of themſelves, or the more part of them preſent at their general quarter-ſeſſions or aſſemblies, ſhall rate every pariſh at ſuch reaſonable ſums of money for the relief of priſoners as they ſhall think convenient, and ſhall appoint one or more freeholders, or other ſufficient inhabitants within each pariſh, to collect and levy the money ſo rated, and ſhall deliver unto every of the ſaid collectors a note under the hands of two of the juſtices, or of the mayor or head officer of the city or town-corporate, containing the ſum by them ſo aſſeſſed. and taxed upon the pariſh wherein they ſhall be ſo appointed to be collectors.

Collectors to levy the rates, by diſtreſs, &c. (2) Which collectors receiving the ſaid note, ſhall have power to levy the ſums ſo taxed upon the able inhabitants of the pariſh rateably; and if any of the inhabitants within the pariſhes ſo rated, ſhall refuſe to pay their rateable ſhares of the ſaid taxation, the perſons appointed as aforeſaid for the collection of the ſaid monies, ſhall diſtrain the goods of the parties which ſhall refuſe to pay the ſame, and ſell the diſtreſs, or ſufficient quantity thereof, reſtoring the overplus to the owners.

Complaints to the ſeſſions. IV. *ſect.* 2. If any perſons ſhall find themſelves grieved by any ſuch ceſs, or by any act of the ſaid collectors, the greater number of the juſtices of the peace aſſembled at their general quarter-ſeſſions ſhall take ſuch order therein as they ſhall think fit, and the ſame to conclude all parties.

Payment quarterly. V. *ſect.* 3. The ſaid collectors ſhall once every quarter of the year pay to the high conſtable of every barony, and in cities and corporate towns that are counties to the aldermen of every ward, all ſuch money as their pariſh ſhall be rated at for the relief of poor priſoners, and the aldermen and high conſtables ſhall at every general quarter-ſeſſions pay all ſuch money unto ſuch perſons dwelling near to the ſaid goals, as ſhall be appointed by the juſtices, mayor, or other head officers at their quarter-ſeſſions or general aſſemblies, to receive the ſame.

Diſtribution weekly. (2) And the ſaid perſons who ſhall ſo receive the ſaid money, ſhall weekly diſtribute the ſame to ſuch poor priſoners as ſhall then be in reſtraint in the ſaid gaols, who have no means to maintain themſelves; and every of the ſaid collectors and receivers, their executors and adminiſtrators, ſhall in open court at every general quarter-ſeſſions make a juſt account upon oath of their collections, receipts, and diſburſements, before the juſtices and mayor or other head officers reſpectively.

Refuſing to pay or diſtribute. (3) And if they ſhall refuſe the collection or receipt of the ſaid monies, or to pay and diſtribute the ſame, or to make a true account as is appointed by this act, upon information thereof made unto any juſtice of the peace of the county, or unto the mayor or chief officer of the city or town-corporate, where ſuch parties ſo refuſing dwell, the ſaid juſtice, mayor, or chief officer, ſhall cauſe the ſaid parties to be attached and brought before them, and require them to perform the ſaid collection, receipt, payment, diſtribution, or account of the ſaid monies, as the caſe ſhall require, and as he ought to do according to this ſtatute, which if they ſhall refuſe to do, the ſaid juſtice, mayor, or other chief officer are to commit them to the gaol, until they ſhall enter into recognizances to his Majeſty in ſuch reaſonable ſum as the ſaid juſtice or mayor, or other chief officer ſhall appoint to perform the ſame.

VI. *ſect.*

VI. *ſect.* 4. If any action of treſpaſs or other ſuit ſhall be brought againſt any perſon for taking of any diſtreſs, or any other act by authority of this preſent act, the defendants may either plead not guilty, or otherwiſe make avowry, cognizance, or juſtification for the taking of the ſaid diſtreſs, &c. alledging, that the ſaid diſtreſs or other thing whereof the plaintiffs complained, was done by authority of this act, without rehearſal of any other matter of circumſtance, to which the plaintiff ſhall be admitted to reply, that the defendants did take the ſaid diſtreſs, or did any other act or treſpaſs ſuppoſed in his declaration of their own wrong, without any ſuch cauſe alledged by the defendants, whereupon the iſſue in every ſuch action ſhall be joined and tried by verdict of twelve men, and upon the trial of that iſſue, the whole matter to be given in evidence, according to the very truth of the ſame, and after ſuch iſſue tried for the defendants or nonſuit of the plaintiffs after appearance, the defendants to recover treble damages with coſts alſo, to be aſſeſſed by the ſame jury or writ to inquire of the damages as the ſame ſhall require.

Genural iſſue.

Trial by a jury.

VII. *ſect.* 5. The juſtices of aſſiſe are required to give this act in charge at every general aſſizes and gaol delivery to be held within the ſeveral counties of their circuits, and to take ſpecial care to ſee the ſame duly executed and performed, and duly to puniſh all perſons they ſhall find negligent in the execution of this ſtatute, or delinquent againſt the ſame.

Act to be given in charge.

VIII. *ſect.* 6. All ſuch fines as ſhall be legally aſſeſſed upon any perſons indicted upon this ſtatute, ſhall be levied by the ſheriff of the county where the party ſhall be indicted by ſpecial warrant of the juſtices of aſſiſe, and paid to the clerk of the crown, and the ſaid clerk of the crown ſhall diſtribute the ſame for the relief of the poor priſoners aforeſaid.

Fines to be levied by ſheriffs.

IX. *Stat.* 7 *Will.* 3. *cap.* 25. *ſect.* 4. Every perſon who ſhall have cauſe of any perſonal action againſt any perſon being a priſoner, may ſue forth any original writ upon their cauſe of action, and a writ of *habeas corpus* ſhall be granted to ſuch plaintiffs deſiring the ſame, to be directed to the keeper of the priſon, to have the body of ſuch priſoners before any juſtices of the King's-bench or common-pleas, at ſome certain day in any term to anſwer the ſaid plaintiffs, upon their ſaid cauſe of action, and if the plaintiffs at the ſaid day put into the ſaid court their declaration, according to the original writ againſt the ſaid priſoner, being preſent at the bar, the ſaid perſon ſhall be bound to appear in perſon, or to put in an attorney to appear for him in the ſaid action.

Actions againſt perſons in priſon.

(2) And unleſs the defendant plead upon a rule given to be out at the eight days at the leaſt after ſuch appearance, judgment by *nihil dicit* may be entered againſt ſuch defendants, as appearing in perſon; and ſuch charge in court by declarations, ſignified by rule under the gaoler or keeper, ſhall be a good cauſe of detention of ſuch priſoner in his cuſtody, from which he ſhall not be diſcharged without a lawful *ſuperſedeas*, or rule of court; and if the ſaid gaoler or keeper ſhall do otherwiſe, he ſhall be reſponſible to the court and to the party grieved for damages, by action upon the caſe, to be brought againſt him for diſcharging ſuch priſoner. *Eng. Stat.* 13 *Car.* 2. *ſt.* 2. *cap.* 2. *ſect.* 5.

Judgment by *nil dicit*.

X. *Stat.* 10 *Will.* 3. *cap.* 9. *ſect.* 1. The marſhal of the four-courts in Dublin, ſhall take the ſeveral fees following, and no more, *viz.* every priſoner ſhall pay to the marſhal for the committal fee ſix ſhillings and eight-pence, and to the turnkey ſix-pence; for a diſcharge or diſmiſſion fee to the marſhal ſix ſhillings and eight pence; upon every *habeas corpus* directed to the marſhal, the perſon in cuſtody who obtained the ſame, ſhall pay to the marſhal two ſhillings and ſix-pence.

Fees to the marſhal of the four-courts.

(2 Every priſoner brought into court by *habeas corpus ad ſatisfaciendum*, and thereupon

Habeas corpus.

thereupon committed to the marshal in execution, shall pay to the said marshal the fees following, *viz.* six-pence in the pound where the execution shall be for any sum of or under one hundred pounds; and where the execution shall be for more, the said persons shall pay to the marshal for each pound, over and above the sum of one hundred pounds, three pence *per* pound.

Poundage on executions.

XI. *sect.* 2. No persons so committed in execution, shall be charged with any more of the said poundage or execution fees, than for the debt or damages and costs they really owe, and which the plaintiffs on such execution shall receive.

Fees to the sheriff.

XII. *sect.* 3. If any person shall be taken by the sheriff of any county and brought up in custody and committed to the marshal of the four-courts in execution, the said poundage or execution fees payable as aforesaid, shall be paid to the sheriff that executed the writ, and not to the marshal.

Pleading a pardon.

XIII. *sect.* 4. Upon the pleading of any pardon at the bar for any person in the marshal's custody, the said person for whom such pardon is pleaded, shall pay to the said marshal for his fee thereon, seven shillings.

Rules for the marshal.

XIV. *sect.* 5. The following rules shall be observed by the marshal of the four-courts in the said marshalsea; and the said marshal shall not charge any prisoner committed to his custody with greater rates for lodging than is by this act limited, *viz.*

Necessaries for prisoners.

(2) Every person being prisoner in the said marshalsea, shall have free liberty to cause to be brought in his own bed, meat and drink, and cloathing, at seasonable hours, without being hindered by the marshal, his deputy, or any employed under him.

Rooms for lodgings and beds, &c.

(3) And no room in the said marshalsea shall contain more than four beds, and there shall be a chimney in every such room; and in every such room that contains four or three beds, each person that brings in his own bed shall pay for the standing of the said bed fifteen pence *per* week, and no more; and if two prisoners agree to lie together, and find their own bed, then they shall pay twelve pence each for the standing of the said bed, and no more than two persons shall lie in each bed, and the said beds shall stand at least four feet asunder at the sides, but may join together at the heads or feet.

Finding beds and necessaries.

XV. *sect.* 6. In case the marshal shall provide the prisoners beds, with necessaries in such rooms, each prisoner shall pay two shillings and six-pence *per* week for the bed, such prisoner having a bed to himself; but in case two prisoners shall agree to lye in one bed, they shall pay each of them two shillings *per* week.

Common-hall.

XVI. *sect.* 7. Every prisoner lying in the common hall shall pay one penny *per* night to the marshal, and no more, for his lodging.

Agreement for lodging.

XVII. *sect*, 8. If any prisoner shall desire to have a chamber and bed to himself, he may agree with the marshal at such rates as he can for the said lodging and bed.

Forfeitures for offences.

XVIII. *sect.* 9. In case the said marshal of the four-courts, or his deputy, or other persons employed under him, shall demand or receive from any person committed unto his custody any greater fees, reward, or gratuity than are appointed by this act, or shall not duly observe such rules for the conveniency of his prisoners as are by this act prescribed, or shall exact any greater rates for the lodging of prisoners than is by this act allowed, the said marshal or his deputy which shall offend herein, shall forfeit for the first offence twenty pounds, the one half thereof to the King, the other moiety to the party aggrieved, who may recover the same in any of his Majesty's courts of record at Dublin, wherein no essoign, &c. shall be allowed, nor any more than one imparlance, and for the second offence *shall* forfeit forty pounds, to be recovered by the party aggrieved in manner as aforesaid, the one moiety to the King, the other moiety to the said party; and for the third offence the said marshal shall forfeit his office, and be incapable of holding the said office of marshal of the four-courts, or of being deputy-marshal of the same, for ever after.

XIX. *sect.*

XIX. *ſect.* 10. The marſhalſea of the four-courts ſhall be kept ſeparate and diſtinct as formerly it hath been in a houſe by itſelf, under the care of the marſhal of the four-courts appointed by letters patent under the broad ſeal, or the chief governors of this kingdom. Marſhalſea to be ſeparate.

XX. *ſect.* 11. The marſhalſea of the city of Dublin ſhall be likewiſe kept ſeparate and diſtinct in another houſe by itſelf, under the care of ſuch perſons as ſhall be duly authorized to keep the ſame. City marſhalſea.

XXI. *ſect.* 12. The following fees, and no other, ſhall be taken by the marſhal of the city of Dublin, *viz.* for every priſoner committed to his cuſtody upon an action out of the Tholſel court, two ſhillings ſix-pence; for every priſoner committed by the lord mayor for petty debts, one ſhilling; for every writ of *venire facias*, or *fieri facias* iſſued out of the city court to the ſaid marſhal, one ſhilling and ſix-pence; for all executions out of the city court directed to the ſaid marſhal, ſix-pence in the pound for every ſum of or under one hundred pounds; and where the execution is for more, three-pence for each pound over and above one hundred pounds, and in ſuch manner, and under ſuch reſtrictions, as are appointed by this act for the marſhal of the four-courts. Fees of the marſhal.

XXII. *ſect.* 13. The marſhal of the city of Dublin ſhall obſerve the ſame rules, and take the ſame rates and no greater, for the lodging and accommodation of priſoners, in ſuch ſort as is appointed by this act for the marſhal of the four-courts. And in caſe the marſhal of the city of Dublin, his deputy, or any perſons employed under him, ſhall take or exact any greater fees than as aforeſaid, or any gratuity or reward from any perſon committed as a priſoner to his cuſtody; or ſhall not obſerve the ſame rules and rates in every reſpect, as is appointed by this act to be obſerved by the marſhal of the four courts in relation to the accommodation and lodgings of his priſoners, the ſaid marſhal or his deputy which ſhall offend herein, ſhall forfeit for the firſt offence twenty pounds, and for the ſecond offence forty pounds, to be recovered by the parties aggrieved in ſuch manner as the other penalties in this act are appointed; and for the third offence the ſaid marſhal ſhall forfeit his office, and ſhall be from thenceforth incapable of holding the ſaid office of marſhal, or being deputy marſhal for ever after. Rules for the city marſhalſea. Penalties.

XXIII. *Stat.* 8 *Ann. cap.* 7. *ſect.* 1. If any perſon who ſhall be committed or rendered to or charged in the cuſtody of the marſhal of the four-courts either in execution, or upon meſne proceſs, or upon any contempt in not performing any order or decree made by any of the courts of record at Dublin, ſhall after ſuch commitment, render, charge, or being in execution, and before they ſhall have made payment or ſatisfaction to the plaintiffs or creditors, or ſhall have cleared themſelves of ſuch contempts as they ſhall be charged with at the time of their commitment, render, charge, or being in execution, make any eſcape from the cuſtody of the marſhal, or from the priſon of the ſaid marſhalſea, or ſhall go at large, it ſhall be lawful upon oath thereof in writing to be made by one credible perſon, before any of the judges of that court where ſuch action was entered, or judgment and execution were obtained, or where the party was ſo committed or charged, for ſuch judge, and ſuch judge is required to grant unto any perſon who ſhall demand the ſame, warrants under his hand and ſeal, therein reciting the actions, executions, or contempts with which ſuch perſons ſo eſcaping or going at large, ſtood charged, or for which ſuch perſons were committed, with the names of the perſons on whoſe behalf ſuch warrants ſhall be demanded, which ſhall be in force in all places within this kingdom, directed to all ſheriffs, mayors, and other head officers, ſeneſchals, bailiffs, and conſtables, requiring every of them in their reſpective counties and precincts, Eſcapes of priſoners. Warrants by the judges.

cincts, to ſeize and retake ſuch perſons ſo eſcaped or going at large; and ſuch perſons ſo retaken upon ſuch warrant forthwith to commit to the common gaol of ſuch county where ſuch perſons ſo eſcaped and going at large ſhall be retaken, there to remain, without being thence upon any account delivered or removed, until they ſhall have made full payment or ſatisfaction to the plaintiffs or creditors in ſuch actions or executions named, or until the judgments on which ſuch executions were ſued out, ſhall be reverſed or diſcharged, or until judgment in ſuch actions be given for ſuch perſons ſo committed, or until ſuch contempts for which ſuch perſons ſhall be committed, be cleared; except ſuch perſons be charged with treaſon or felony, or any other matter on the behalf of the Queen.

Removal of priſoners.

(2) And if ſuch perſon be removed for any ſuch cauſe on the behalf of the Queen, to any other gaol, he ſhall be in the cuſtody of ſuch gaol charged with all the cauſes with which he ſhall be charged in the gaol from whence he ſhall be removed; and every mayor and other officer after delivery of ſuch priſoner retaken, together with ſuch warrant to the ſheriff, ſhall take a note in writing from ſuch ſheriff, teſtifying the receipt of ſuch priſoner, and ſuch ſheriff, after the execution of ſuch warrant, ſhall make a return thereof to the court where the action ſhall be depending, or the judgment, order, or decree obtained, which return ſhall be filed upon record.

Sheriffs to anſwer for eſcapes.

XXIV. *ſect.* 2. If any perſon ſo retaken by warrant ſhall eſcape out of the gaol to which they ſhall be ſo committed, the ſheriff in whoſe cuſtody they were, ſhall be liable to anſwer for ſuch eſcape, as in the caſe of any other eſcape.

Diſcharge of bail.

XXV. *ſect.* 3. It ſhall be lawful for any perſons that ſhall be bail in any of her Majeſty's courts at Dublin for any perſon that ſhall be retaken and conveyed to gaol by ſuch warrant, to proſecute out of ſuch courts where they ſhall be bail, a writ to the ſheriff of the county to the gaol whereof ſuch priſoner retaken ſhall be committed, commanding ſuch ſheriff to detain ſuch priſoner in cuſtody in diſcharge of his bail, which writ, with an account whether he hath the priſoner in his cuſtody, ſhall be returned at a day therein mentioned, and the delivery of ſuch writ to the ſheriff or his deputy ſhall be deemed an effectual render of ſuch priſoner in diſcharge of the bail; and in caſe ſuch ſheriff or his officer ſhall after the delivery of ſuch writ ſuffer the perſon to eſcape, they ſhall be liable to ſuch action as the marſhal of the four-courts is liable to for permitting any perſon to eſcape who was committed upon render in diſcharge of their bail.

Returns by ſheriffs.

XXVI. *ſect.* 4. Every ſheriff, upon requeſt of ſuch perſons being bail as aforeſaid, who ſhall deliver ſuch writ for detaining ſuch priſoners, and who ſhall pay the uſual fees for returns of actions, ſhall return the receipt of ſuch writ, and the time of his receiving the ſame, and whether the perſon ſo retaken was then in his cuſtody, and in default thereof ſhall forfeit one hundred pounds, to be recovered in any of her Majeſty's ſaid courts at Dublin, wherein no eſſoign, &c. ſhall be allowed, and upon producing ſuch return to the court where ſuch bail ſhall be taken, ſuch court ſhall cauſe a *redidit ſe* to be entered upon the bail-piece, which ſhall be as effectual as if the bail had actually rendered the perſon of the defendant to ſuch court.

General law.

XXVII. *ſect.* 5. This act ſhall be a general law, and it ſhall not be needful to ſet forth the ſame in pleading, and *it* ſhall be conſtrued moſt beneficially for the preventing of all the miſchiefs provided againſt.

General iſſue.

XXVIII. *ſect.* 6. If any perſon ſhall be ſued for putting in execution any power given by this act, ſuch perſons may plead the general iſſue, and if the plaintiffs ſhall be nonſuit or ſhall diſcontinue their actions, or if a verdict ſhall be given for the defendants, or judgment upon demurrer, ſuch defendants ſhall have their treble coſt. *Eng. Stat.* 1 *Ann. ſtat.* 2. *cap.* 6.

XXIX. *Stat*

XXIX. *Stat.* 8 *Ann. cap.* 9. *ſect.* 1. If any defendant ſhall be taken or charged in cuſtody upon any writ out of any of the four courts at Dublin, and detained in priſon for want of ſureties for their appearance, the plaintiffs may, before the end of the next term after ſuch proceſs ſhall be returnable, declare againſt ſuch priſoners in the courts out of which the writs ſhall iſſue, whereupon the priſoners ſhall be impriſoned or charged in cuſtody, and ſhall cauſe a copy thereof to be delivered to ſuch priſoners, or to the gaoler in whoſe cuſtody ſuch priſoners ſhall be, to which declarations the ſaid priſoners ſhall appear and plead, and if ſuch priſoners ſhall not appear and plead to the ſame before the end of the term next after ſuch declarations ſhall be ſo delivered, the plaintiffs ſhall have judgment as if the priſoners had appeared and refuſed to anſwer or plead.

Declaration againſt priſoners.

Copy to be delivered.

XXX. *ſect.* 2. In all declarations againſt any priſoners detained in priſon by any writ or proceſs to be iſſued out of the court of Queen's-bench, it ſhall be alledged in cuſtody of what ſheriff, bailiff, or ſteward of any franchiſe, or other perſon having the return and execution of writs, ſuch priſoner ſhall be by virtue of the proceſs of the ſaid court at the ſuit of the plaintiffs, which allegation ſhall be as good as if ſuch priſoners were in the cuſtody of the marſhal of the four-courts. *Eng. Stat.* 4 *& 5 Will. & Mar. cap.* 21.

Allegation good.

XXXI. *Stat.* 3 *Geo.* 2. *cap.* 5. *ſect.* 6. No money ſhall be levied in any county for relief of poor priſoners, but by preſentment of the grand juries at the general aſſiſes, and at the quarter-ſeſſions for the county of Dublin, and county of the city of Dublin.

Money for priſoners.

(2) And all money ſo to be raiſed for the uſe of the poor priſoners and levied according to the uſual methods of raiſing public money, ſhall be by the treaſurers of the counties paid to the miniſters of the pariſhes wherein the gaols for ſuch counties are reſpectively kept, or in the abſence of ſuch miniſter, to his curate, and the money ſo to be received by the miniſter or curate, or ſo much thereof as to them ſhall ſeem neceſſary, ſhall be by them and the churchwardens of the ſaid pariſhes, weekly diſtributed to or laid out in bread or other neceſſaries for the poor priſoners in the ſaid gaols who have no means to maintain themſelves, in ſuch proportion as to the miniſter, or curate, and churchwardens ſhall ſeem convenient.

Diſtribution by the miniſter, &c.

(3) And the ſaid miniſters, or curates, and churchwardens, their reſpective executors and adminiſtrators, ſhall in open court at every general aſſiſes, and at the quarter-ſeſſions to be held for the county of Dublin, and county of the city of Dublin reſpectively, make a true account upon oath of their receipts and payments.

Account to be given.

(4) And if any of them ſhall refuſe the receipt of the ſaid money, and to pay and diſtribute the ſame, and to make account in manner aforeſaid, they ſhall reſpectively by the judges of aſſiſe, and juſtices of the peace, at their quarter-ſeſſions to be held for the county of Dublin, and county of the city of Dublin, be fined in any ſum not exceeding twenty pounds, to be levied and paid to the ſucceeding churchwardens, for the uſe of the poor priſoners in the ſaid gaols reſpectively.

Refuſing to account.

XXXII. *Stat.* 3 *Geo.* 2. *cap.* 9. *ſect.* 6. The judges of aſſiſe in their reſpective circuits, commonly called the lent and ſummer aſſiſes, ſhall inquire what perſons remain in gaol in the ſeveral counties within their circuits meerly for fees due by them to the high-ſheriff, deputy-ſheriff, gaoler, clerk of the crown, and clerk of the peace, or their deputies, or any of the perſons aforeſaid, and upon ſuch inquiry, and a repreſentation of the grand jury of ſuch county that ſuch

Diſcharge for fees.

persons are not able to pay their fees, shall discharge such persons out of the several gaols as upon due examination of their circumstances they shall find unable to discharge such fees.

Fees from prisoners acquitted.

XXXIII. *Stat.* 3 *Geo.* 3. *cap.* 5. *sect.* 1. *Whereas several persons who are acquitted of the crimes for which they are indicted, are from time to time continued in the several gaols of this kingdom, for not paying such fees as are due from them to the sheriff, gaoler, clerk of the crown, clerk of the peace, or their deputies, which fees many of them are unable to discharge: and whereas such persons by continuing in gaol, not only contract habits of idleness, but also from the bad examples they meet with in the said gaols, frequently become dissolute and abandoned: for remedy whereof,* it shall be lawful to and for the several grand juries of the several counties, and counties of cities, and counties of towns in this kingdom, and at the quarter-sessions of the county of Dublin, and county of the city of Dublin, if they shall think proper, to present on the respective county, county of a city, or county of a town, the customary and legal fees due from any persons against whom any bill of indictment shall be found, and who shall be acquitted at the said several assises and quarter-sessions, of the crimes charged in such indictment.

Presentment for fees.

Acquitted for crimes.

Certificate of petty jury.

XXXIV. *sect.* 2. Provided that no such presentment shall be made by said several grand juries, for the fees of any person acquitted, unless the petty jury, before whom said person shall be tried, shall certify under the hand of their foreman to the grand jury aforesaid, at the time they shall return their verdict to the court, that such is a proper object of the benefit of this law, and also unless said grand juries be respectively informed of the particulars and whole account of such fees, so to be presented by affidavit, made by the clerk of the crown of such county, or county of a city, and in the county and county of the city of Dublin, by the clerk of the peace of said county, or county of city, acting deputy or deputies, then it may be lawful to and for the said grand juries, to present said fees as aforesaid, which presentments the judges of assize, and justices of the peace of the county and county of the city of Dublin, may confirm, if they shall think proper, and shall apprehend that the persons acquitted are proper objects of the benefit of this law, and that immediately after said presentment shall be confirmed by the judges or justices of the peace respectively, such prisoners, in whose favour they shall have been made, shall forthwith be discharged, and that no traverse to such presentments shall be received by the courts.

Information to the grand jury.

Objects of the benefit of this law.

No traverse or presentment.

No fees from persons acquitted

XXXV. *sect.* 3. No fees shall be demanded or received from any person who shall be indicted, and who shall be acquitted of the crimes charged in such indictments, at the general quarter-sessions of the peace to be held for any county, or county of city, or county of a town throughout this kingdom, the county of Dublin, and county of the city of Dublin excepted, but such prisoners forthwith on their acquittal shall be discharged without fees.

Exception for Dublin

Receiving fees, &c.

XXXVI. *sect.* 4. If any sheriff, gaoler, or clerk of the peace, or their deputies, or any other person shall receive or take from any such person who shall be acquitted as aforesaid, or from any other person on their behalf, any fees, or money, as for, or under the pretence of fees, or if any gaoler shall upon any other occasion extort from any prisoner under his care, any fees, or money, other than such as are warranted by law, every such person so offending, shall, for every such offence, forfeit twenty pounds, the one moiety thereof to the King, and the other moiety to them that shall sue for the same in any of his Majesty's four courts in Dublin, by bill, plaint, or information, in which no essoign, wager of law, or protection, or more than one imparlance shall be allowed.

Forfeiture of twenty pounds. Moiety to the informer.

XXXVII. *sect.*

XXXVII. *ſect.* 5. Provided that the juſtices at the general quarter-ſeſſions of the peace for ſaid county, or county of a city, or county of a town, ſhall have power by publick judgment delivered from the bench, to deprive of the advantage of this law, any perſons who ſhall have been tryed and acquitted before them, and whom they ſhall think unworthy of this benefit. Juſtices at the ſeſſions for Dublin, &c.

XXXVIII. *ſect.* 6. *And in order to reimburſe and ſatisfy the ſaid ſeveral officers for ſuch fees as they would have been intitled to receive from ſuch perſons ſo diſcharged,* it ſhall be lawful for the ſeveral grand juries of the ſeveral counties, and counties of cities, and counties of towns of this kingdom, at the aſſizes held for the ſeveral counties, and counties of cities, and counties of towns, immediately next following the general quarter-ſeſſions of the peace, at which ſuch tryals ſhall be had, to preſent a ſum not exceeding ten pounds, if it be a county at large; nor exceeding five pounds, if it be a county of a city, or county of a town, to be proportioned by the reſpective grand juries of ſaid counties, to the number of perſons diſcharged at the ſeſſions without fees, of which the ſaid grand juries are to be certified by affidavit made by the reſpective clerk of the peace of ſaid county at large, county of a city, or county of a town, and when raiſed to be divided among the ſeveral officers herein before mentioned in the proportion in which they heretofore ſtood intitled to ſuch fees. Satisfaction to officers. Preſentments by grand juries. Affidavits by clerks of the peace.

XXXIX. *ſect.* 7. Provided that this act ſhall not be conſtrued in ſuch manner as to deprive the judges or juſtices of the peace of any power that they have by the laws now in being, of committing or keeping in confinement any perſon who ſhall be ſo confined as aforeſaid. Saving to judges and juſtices.

XL. *ſect.* 8. Provided alſo, that it ſhall not be lawful for any grand jury, by virtue of this act, to raiſe, or preſent to be raiſed, at any one aſſizes for the purpoſes aforeſaid, any ſum of money, exceeding in a county at large twenty pounds, nor in a county of a city, or county of a town, ten pounds, excepting only the county of Cork, the grand jury of which may raiſe, or preſent to be raiſed for the purpoſes herein mentioned, any ſums of money, not exceeding in the whole thirty pounds at any one aſſizes. Limitation of ſums to be preſented. County of Cork, excepted.

XLI. *Stat.* 3 *Geo.* 3. *cap.* 28. *ſect.* 1. *Whereas many frauds and abuſes have been committed by gaolers exacting exorbitant fees, brewing of drink, and baking of bread, which they oblige their priſoners to take from them at their own rates, and by keeping their gaols in a filthy unwholeſome manner: and whereas many doubts have ariſen on a clauſe contained in an act of parliament paſſed in this kingdom, in the third year of the reign of his late Majeſty, particularly, whether the judges on their circuits are impowered to confirm preſentments made by grand juries for medicines, provided for poor priſoners confined in the ſeveral gaols of this kingdom: and whereas the bread appointed by the ſaid act to be bought for the uſe of the poor priſoners hath been, contrary to the intention thereof, given indiſcriminately to all the priſoners confined in the ſaid gaols, and is often diſtributed among the ſaid priſoners by the gaoler, and not by the miniſter and curate, as directed by the ſaid act; and whereas gaolers frequently pay large ſums or engage to pay a rent to ſuch perſons who have the power of appointing them, and thereby apprehend they have a right to continue therein independant of the authority of the perſons ſo appointing them, and uſe every unwarrantable means to reimburſe themſelves the ſums by them paid, or the rent agreed to be paid for the ſaid offices:* no ſheriff, or other perſons, bodies corporate or politick, having power to appoint a gaoler, ſhall by themſelves, or any other perſon in truſt for them, take any fee or gratuity, or reſerve any rent payable out of any ſuch gaol for ſuch appointment, under the penalty of five hundred pounds, one moiety thereof to be paid to the King, the other Frauds of gaolers. Doubts on the act, 3 Geo. 2. Medicines. Bread. Gaolers paying rent, &c. No fee or rent for gaols. Penalty of five hundred pounds.

other to the informer, with full costs of suit, who shall by bill, plaint, or information in any of his Majesty's courts of record first sue for the same.

Table of fees.

XLII. *sect.* 2. Every gaoler shall at the next assizes to be held for the several counties in this kingdom, and at the next quarter-sessions to be held for the county of Dublin, and the county of the city of Dublin, after the commencement of this act, deliver a table of fees, and the price of lodging, use of a bed, or other charges claimed by him, in, or on account of his gaol, to the grand jury of the said counties, or counties of cities, or counties of a town, which table shall be by such grand jury examined, altered, and settled, and confirmed by the judge of the assize in the said county, and by three of the justices at the quarter-sessions in the county of Dublin, and by the recorder in the county of the city, according to their discretion, and forthwith posted by such gaoler in the most publick place of his gaol, and likewise in the court and session-houses, and in the grand jury-room, at every assizes and sessions, the same to be kept fair, and renewed as often as it may be defaced, upon pain of forfeiting forty shillings for every such default or neglect in such gaoler, to be recovered by civil bill, by such informer as shall first sue for the same.

To the grand jury.

Confirmed by the judge of assize, &c.

Posted in the gaol, &c.

Forfeit forty shillings.

Taking greater fees. Forfeiture.

XLIII. *sect.* 3. If any gaoler shall take any other fee or sum, except those allowed and appointed by the said table, the said gaoler shall forfeit forty shillings, to be recovered by civil bill, by the informer.

Impositions of gaolers.

Baking bread.

No gaoler shall brew or bake.

Shop for bread or liquors. Penalty of five pounds.

XLIV. *sect.* 4. *And whereas the minister and church-wardens of the respective parishes wherein gaols lie, are frequently imposed upon by gaolers returning names of prisoners as in their custody, and in want of bread, who really are not, and by baking their own bread, making it of such weight and sort as they think proper; for remedy whereof,* no gaoler, or any person in trust for him, shall brew or bake in the gaol, or in the houses hereby appointed for the use of the prisoners confined in the said gaol, or shall in any place brew or bake for sale, or keep any shop for the selling of bread, or beer, or ale, or other liquors, under the penalty of five pounds for every such offence, to be recovered in the usual manner by civil bill, by the person who shall inform of and sue for the same.

Ministers to furnish bread.

Prisoners in want.

XLV. *sect.* 5. The minister, or curate, shall weekly deliver bread, to be by them or either of them bought upon the best terms that bread is usually sold for in the parish, to such of the said prisoners confined in gaol, as seem to him or them to be in want, and to no other, and every minister or curate shall from time to time, as he shall see occasion, visit and view the prisoners in gaol, and if any prisoner appear to be afflicted with sickness, and to stand in need of medicines, the said minister or curate is hereby impowered to employ a physician, apothecary, or surgeon, and to pay for such medicines as shall be by them or either of them prescribed, and made use of.

Medicines and physician, &c.

No hogs or cattle.

Penalty of forty shillings.

XLVI. *sect.* 6. After the commencement of this act, no gaoler, or any person employed by him, shall presume on any account to keep in the said gaols, or the yard, or houses adjoining thereto, and provided for the use of such prisoners, any hogs, cows, or other cattel, under the penalty of forty shillings for such hog, cow, or other beast kept in the said gaol, or prison, or in the yard or houses thereto belonging, for each day such hog, cow, or other beast shall be kept therein, the same to be recovered by civil bill, in the usual manner, by any person who shall inform thereof.

Infectious disorders.

Necessary houses

XLVII. *sect.* 7. *And whereas many infectious disorders are daily produced by the confinement of numbers in close prisons, whereunto there is no back yard adjoining, and the lives of his Majesty's subjects are endangered by the bringing of prisoners into publick streets for air*; every grand jury at the assizes or quarter-sessions, aforesaid,

are

are required and directed to contract either by leaſe, or to purchaſe a piece of ground next adjoining the gaol, or as near as conveniently can be had thereto, and cauſe to be erected neceſſary houſes, and a wall ſufficient for the ſecurity of the ſaid priſoners. Walled in.

XLVIII. *ſect.* 8. The ſaid grand juries at the aſſizes or quarter-ſeſſions aforeſaid, are hereby impowered to raiſe by preſentment, to be confirmed by the judge at ſuch aſſizes, or by three of the juſtices in the city of Dublin, and by the recorder of the city of Dublin in the county of the ſaid city, any ſum to be levied off the county at large, not exceeding one hundred pounds, for the purchaſe of ſuch ground, and building ſuch houſes and wall, or any yearly ſum for the payment of ſuch rent not exceeding ten pounds. Preſentment for money. Purchaſe and building. Payment of rent.

XLIX. *ſect.* 9. *And whereas it often happens, that perſons of inſane mind and outrageous behaviour, are committed to priſon for aſſaults, or other crimes not capital, which perſons go now in common with other priſoners:* the grand juries aforeſaid are hereby required and directed to preſent a ſum of money to build a room in addition to the preſent gaols, where ſuch is not already to be had, fit for the reception of ſuch perſons, and wherein the gaoler ſhall be impowered by a warrant from the next juſtice of the peace for the county wherein ſuch gaol ſhall lye, to confine any ſuch perſon, information upon oath having firſt been given to ſuch juſtice of the peace of the inſanity or other outrageous behaviour of every ſuch priſoner. Perſons of inſane mind. Room to be added to gaols. Information of inſanity.

L. *ſect.* 10. The ſaid grand juries at the ſaid aſſizes and quarter-ſeſſions aforeſaid, are hereby impowered to raiſe by preſentment, to be confirmed as aforeſaid, of the county at large, any ſum not exceeding thirty pounds for building ſuch room. Preſentment for building. Not exceeding thirty pounds.

LI. *ſect.* 11. In all gaols hereafter to be built, there may be diſtinct apartments for the men and women, and all gaolers whoſe gaols will at preſent admit of ſuch a diſtinction, may be obliged to ſeparate and keep apart the different ſexes; provided the ſame may be done without any riſque or danger of an eſcape of any of the ſaid priſoners, of which if apprehended, the gaoler ſhall give notice to the next juſtice of the peace, and if the ſaid juſtice ſhall upon viſiting the ſaid gaol ſee ſufficient grounds for ſuch apprehenſions, or that the ſaid gaol is inſufficient for the purpoſe aforeſaid, he ſhall by writing under his hand give to the ſaid gaoler a certificate thereof, and if any gaoler ſhall offend contrary to the intent and meaning hereof, he ſhall for every ſuch offence forfeit five pounds, to be recovered by civil bill, the penalty to go to the informer. Men and women kept apart. Danger of eſcape. Notice to the next juſtice. Certificate to gaoler.

LII. *ſect.* 12. The ſaid jurors ſhall be impowered to raiſe and levy by preſentment, to be confirmed as aforeſaid, any ſum not exceeding one hundred pounds, for altering the gaols already built, in manner aforeſaid. Preſentment for altering gaols.

LIII. *ſect.* 13. *And for the better and more effectual relief of the unhappy perſons in any gaol or priſon during their confinement:* at every quarter-ſeſſions held in or for the reſpective counties, counties of cities, and counties of towns in this kingdom, the gaoler or priſon-keeper for every reſpective gaol or priſon for ſuch county, city, or town, ſhall furniſh the juſtices, who ſhall preſide at ſuch ſeſſions, with a true kalendar of the perſons actually in his cuſtody, and the ſaid juſtices may, if they think proper, order the priſoners to be brought into the court, provided ſuch ſeſſions are held in the city or town wherein ſuch gaol or priſon ſhall be kept, and there examine them touching any fraud, ſeverity, or exaction of any ſuch gaoler or priſon-keeper, and if any ſuch ſhall appear upon proof, the ſaid juſtices ſhall ſignify the ſame by writing under their hands to the high-ſheriff or his deputy, or other perſons who uſually nominate or appoint ſuch gaoler or priſon-keeper, who are hereby required Relief of perſons confined. Gaolers to furniſh kalendars. Examination of frauds, &c. Removal of gaolers.

quired to nominate and appoint another perſon, to take care of any ſuch gaol or priſon, in the room of ſuch perſon as ſhall be ſo objected to by the ſaid juſtices.

Refuſal to remove gaolers.

LIV. *ſect* 14. In caſe any perſon ſo uſually nominating or appointing any ſuch gaoler or priſon-keeper ſhall refuſe or neglect to act as herein before directed, it ſhall be lawful for the next going judge of aſſize in every ſuch county, city, or town, or for the ſaid juſtices in the county of Dublin, or the ſaid recorder in the county of the ſaid city, to impoſe a fine or penalty upon the perſon ſo neglecting or refuſing, not leſs than ten pounds, unleſs it ſhall appear to ſuch judge that ſuch removal or new appointment could not be made without manifeſt danger to the ſecurity of the ſaid gaol.

Fine by judges of aſſize, &c.

Account of money for bread. As by the act 3 Geo. 2, &c.

LV. *ſect.* 15. All ſums of money, which ſhall be granted by the grand jury to the miniſter or curate, for bread or other neceſſaries, as preſcribed by the ſaid act of the third year of his late Majeſty King George the ſecond, and herein before particularly mentioned, ſhall be accounted for in open court as by the the ſaid act is directed.

Ten pounds to the miniſter.

LVI. *ſect.* 16. The reſpective grand juries of the reſpective counties, counties of cities, and counties of towns, may, if they think proper, give to the miniſter or to the curate, by preſentment, any ſum not exceeding ten pounds yearly, for the more carefully and effectually attending the duty required by this act.

Neglect of duty in miniſters.

LVII. *ſect.* 17 The miniſter or curate of the pariſhes wherein ſuch gaols ſhall be, ſhall diligently perform the ſeveral duties required by this act, and by the ſaid recited act of the third year of his late Majeſty, and for non performance thereof, ſhall be liable to ſuch penalties as are mentioned in the ſaid recited act, to be recovered and diſpoſed of as therein mentioned.

Penalties.

Additional ſa'ary to gaolers.

LVIII. *ſect* 18. The ſaid grand juries ſhall be impowered to raiſe and levy by preſentment, to be confirmed as aforeſaid, any ſum not exceeding ten pounds additional ſalary, for the ſeveral gaolers in this kingdom.

Privilege.

Writs of privilege.

I. *Stat.* 28 *Hen.* 6. *ſeſſ.* 1. *cap.* 4. The chancellor, juſtices and barons, and their miniſters that for the time ſhall be, ſhall not put forth from their places any writs of privilege, but only for the miniſters, ſervants, or yeomen, continually abiding with them, and he that purſueth ſuch writ of privilege, ſhall pay to the King one hundred ſhillings; and to the party grieved, one hundred ſhillings; by bill, or by writ grounded upon the ordinances aforeſaid; and the chancellor, and juſtices that for the time ſhall be, ſhall ſuffer no man to purſue writs or bill out of their places, calling them their miniſters, ſervants, or yeomen, if he be not miniſter, ſervant, or yeoman continually abiding with the ſaid chancellor or juſtices, or any of them; and if it be otherwiſe done, the King ſhall have one hundred ſhillings, and the party grieved one other hundred ſhillings, againſt him that ſueth ſuch bill or writ, &c.

Privy council.

Inquiry by twelve diſcreet perſons.

I. *Eng. Stat.* 3 *Hen.* 7. *cap.* 14. The ſteward, treaſurer, and controller of the King's houſe, or one of them, ſhall have power to inquire by twelve diſcreet perſons of the cheque-roll of the King's houſhold, if any ſervant ſworn, and his name put into the cheque-roll, under the ſtate of a lord, make any confederacies, compaſſing conſpiracies, or imaginations, with any perſon to deſtroy or murder the King

King or any lord of this realm, or any other perſon ſworn to the King's council, ſteward, treaſurer, or controller of the King's houſe; and if it be found before the ſaid ſteward by the ſaid twelve men, that any ſuch of the King's ſervants hath confederated, &c. as aboveſaid, he ſhall be put to anſwer. And the ſteward, treaſurer, and controller, or two of them, ſhall have power to determine the matter according to law. And if he put him in trial, it ſhall be tried by other twelve of the houſehold, and ſuch miſdoers ſhall have no challenge but for malice; and if ſuch miſdoers be found guilty by confeſſion or otherwiſe, the offence ſhall be judged felony.

Probate of Wills.

I. *Eng. Stat.* 31 *Edw.* 1. *ſtat.* 1. *cap.* 4. Whereas the miniſters of biſhops and other ordinaries, take of the people grievous fines for the probate of teſtaments, the archbiſhop of Canterbury, and the other biſhops ſhall thereof make amendment, and if they do not, the King ſhall cauſe to be inquired by his juſtices of ſuch oppreſſions and extortions, and to hear and determine them, as well at the King's ſuit as at the ſuit of the party as in old time hath been uſed. Extortion by miniſters of biſhops.

II. *Stat.* 28 *Hen.* 8. *cap.* 18. *ſect.* 2. Nothing ſhall be taken by any biſhop, ordinary, archdeacon, chancellor, commiſſary, official, or any other perſons which have authority to take probation of teſtaments by themſelves, nor by their regiſters, apparitors, or by any of their miniſters, farmers or ſervants, for the probation of any teſtament, or for the commiſſion of adminiſtration of the goods of any perſon dying inteſtate, or for writing, ſealing, praiſing, regiſtring, fines, making of inventories, giving of acquittances, or for any coſts and charges concerning the ſame, where the goods of the teſtator or the inteſtate, do not amount clearly over and above the value of 3 l. 6 s. 8 d. Iriſh money, except to the notary, to have for the writing of the probate of the teſtament 12 d. Iriſh, and except the ordinary, his commiſſary, official, or other miniſter having the cuſtody of his ſeal uſually accuſtomed for the ſealing of teſtaments, for the wax, ſealing, and delivery of the probate of the teſtament 8 d. Iriſh. Fees for probates.

(2) And to the ſcribe for the writing of the commiſſion of adminiſtration of the goods of any inteſtate, not being above like value of 3 l. 6 s. 8 d. 12 d. and to the ordinary, his commiſſary, official, or other miniſter having the cuſtody of his ſaid ſeal, for wax, ſealing and delivering of the ſame commiſſion 8 d. Iriſh, and the ordinary, &c. *ſhall* not refuſe to approve any ſuch teſtament, or make any ſuch commiſſion being lawfully tendered to them to be proved, whereof the goods of the teſtator or inteſtate amount not above the value of 3 l 6 s. 8 d. ſo that the ſaid teſtament or commiſſion be exhibited to them in writing ready to be ſealed, and that the teſtament be lawfully proved before the ordinary before the ſealing, to be the true, whole, and laſt teſtament of the teſtator, in ſuch form as hath been commonly accuſtomed. Inteſtate adminiſtrations.

III. *ſect.* 3. When the goods of the teſtator doth amount above the value of 3 l. 6 s. 8 d. and do not exceed ten pound, no ordinary, &c. ſhall take but only 3 s. 4 d. whereof to be to the ordinary, &c. for him and his miniſters 2 s. and 16 d. reſidue of the ſaid 3 s. 4 d. to be to the regiſter for the writing and regiſtring of the ſame. Goods not exceeding ten pounds.

IV. *ſect.* 4. Where the goods of the teſtator or inteſtate do amount above the value of 10 l. and do not exceed 20 l. the ordinary, &c. ſhall take only 6 s. 8 d. whereof to be to the ordinary, &c. for him and his miniſters 5 s. Iriſh, and 18 d. reſidue to be to the regiſter for the writing and regiſtring of the ſame. Goods not exceeding twenty pounds.

V. *ſect.*

Forty pounds. V. *ſect.* 5. When the goods of the teſtator or inteſtate do amount to the value of 20 l. Iriſh, and do not exceed 40 l. the ordinary, &c. ſhall take but only 10 s. whereof to be to the ordinary, &c. for him and his miniſters 8 s. and 2 s. reſidue to be to the regiſter for the writing and regiſtring of the ſame.

One hundred pounds. VI. *ſect.* 6. When the goods of the teſtator or inteſtate do amount to the value of 101 l. and not exceed 100 l. the ordinaries, &c. ſhall take but only 16 s. 8 d. whereof to be to the ordinary, &c. for him and his miniſters 14 s. and 2 s. 8 d. reſidue to the regiſter for the writing and regiſtring of the ſame.

Ordinary's and regiſter's fees. VII. *ſect.* 7. When the goods of the teſtator or inteſtate do amount to the value of 100 l. and above, whatſoever the ſum thereof be, the ordinaries, &c, ſhall take but only 20 s. whereof to be to the ordinary for him and his miniſters 16 s. 8 d. and not above, and 3 s. 4 d. reſidue to be to the regiſter for the writing and regiſtring of the ſame.

Probates without fruſtratory delay. VIII. *ſect.* 8. Every ordinary or other perſon having authority to take the probations of teſtaments, or to make commiſſion of adminiſtration of any goods of perſons dying inteſtate, their regiſters, ſcribes, notaries and miniſters, ſhall approve, ſeal, and regiſter the ſaid teſtaments and commiſſions, and deliver the ſame ſealed with the ſeal of their office to the executors or adminiſtrators named or appointed for the ſame, and for the ſums, and in manner as is above rehearſed to deliver it with convenient ſpeed and without any fruſtratory delay.

Inventory of goods. IX. *ſect.* 12. The executors or ſuch perſons to whom adminiſtration ſhall be admitted, taking to them two at the leaſt to whom the perſon dying was indebted, or made any legacy, and upon their refuſal or abſence two other honeſt perſons being next of kin to the perſon dying, and in their default or abſence two other honeſt perſons, and in their preſence ſhall make a true inventory of all the goods, as well moveable as not moveable, that were of the perſon deceaſed, and the ſame ſhall cauſe to be indented, whereof the one part ſhall be by the ſaid executors or adminiſtrators upon their oaths to be taken before the ordinaries, their official or commiſſaries, or other perſon having power to take probate of teſtaments delivered into the keeping of the ordinaries, &c and the other part thereof to remain with the executor or adminiſtrators.

Ordinary refuſing. (2) No ordinary, &c. upon the pain in this eſtatute hereafter contained, *ſhall* refuſe to take ſuch inventories to them tendered, and none of them ſhall procure any other inventory for the probation of any teſtament, or making any letters of adminiſtration, if the ſaid inventories be preſented to them or intended to be delivered as aforeſaid, in which inventories all corn and cattle to be valued as hath been accuſtomed within the dioceſe of Meath.

Lands deviſed to be ſold. X. *ſect.* 13. If the perſons deceaſed will by their teſtaments any lands to be ſold, the money thereof coming, nor the profits of the lands, ſhall not be accounted as any of the goods or cattels of the perſon deceaſed; and the ordinary, &c. upon the delivery of the ſeal and ſign of the teſtator, *ſhall* cauſe the ſame to be defaced, and redeliver the ſaid ſeal unto the ſaid executors or adminiſtrators.

Copies of wi'. (2) In caſe any perſons require copies of the teſtaments ſo proved, or of the inventory, the ordinaries or their miniſters ſhall, with convenient ſpeed without any fruſtratory delay, deliver true copies of the ſame to the perſons to demanding them, taking for the ſearch and for the writing of every of the ſaid teſtaments or inventories, but only ſuch fee as is before rehearſed for the writing and regiſtring of the ſame.

Accuſtomed fees. XI. *ſect.* 14. Provided that where any perſons having authority to take probate of teſtaments, have uſed to take leſs, *they* ſhall take ſuch ſums for the probate of teſtaments

teſtaments and commiſſions of adminiſtrations, and other cauſe concerning the ſame, as they before the making of this act have uſed to take.

XII. *ſect.* 15. No archbiſhop, biſhop, ordinary, or other perſon, having authority to prove or approve any teſtament, ſhall compel the huſband or friend of any woman covert, to prove or approve any teſtament of her huſbands goods, or ſhall take or receive any money or other thing for the probation or approbation of any teſtament of any woman covert, or making of any commiſſion of adminiſtration for or concerning the pretenſed goods of any ſuch woman covert, unleſs the ſaid woman covert be executor or adminiſtrator to any teſtator deceaſed, or otherwiſe have cauſe or title of action, whereof her huſband after her death have no remedy by courſe of the common law, upon pain hereafter limited. Wills of Feme Coverts.

XIII. *ſect.* 16. Every archbiſhop, biſhop, ordinary, archdeacon, chancellor, commiſſary, official, and other perſons having authority to take any probate of teſtaments, their miniſters, farmours, regiſters, and all other their officers or ſervants that ſhall do or attempt againſt this act in any thing, ſhall forfeit for every time ſo offending, to the party grieved ſo much money as any ſuch perſon ſhall take contrary to this act, and over that ſhall forfeit x. li. Iriſh, whereof the one moiety ſhall be to the King, and the other moiety to be to the perſon grieved, that will ſue by action of debt, bill, plaint, information or otherwiſe, in any of the King's courts for the recovery of the ſame, in which action no eſſoign, &c. ſhall be admitted or allowed; and every of the ſaid archbiſhops, biſhops and other perſons which hereafter ſhall incur ſuch penalty or forfeiture ſhall be charged only for himſelf, and none of them to be chargeable to that penalty for other offences. Penalty of ten pounds.

XIV. *ſect.* 17. Provided that this act be not prejudicial to any ordinary or other perſon which have authority to take probate of teſtaments, but that every of them may convent before them, all perſons made executors of any teſtament, to the intent to prove or refuſe the teſtaments of their teſtators, and to bring inventories, and to do every other thing concerning the ſame as they might do before the making of this act, ſo that ſuch ordinary or other perſons having ſuch authority by themſelf, their commiſſaries, regiſters or other miniſters, ſhall not in any wiſe take for the ſame, above the fees limited by this act, ne in any wiſe attempt any thing contrary to any part of the ſame act. *Eng. Stat.* 21 *Hen.* 8. *cap.* 5. Executors to be called, &c.

Proceſs.

I. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 45. If the tenant or defendant, after the firſt attachments returned, make default, the great diſtreſs ſhall be awarded; and if the ſheriff do not make ſufficient return by a certain day, he ſhall be grievouſly amerced; and if he return that he hath done execution in due manner, and the iſſues delivered to the ſureties, the ſheriff ſhall be commanded that he return iſſues at another day before the juſtices. And if the party being attached come in at his day to ſave his defaults, he ſhall have the iſſues; and if he come not, the King ſhall have them, and the juſtices ſhall cauſe them to be delivered in the wardrobe. And the juſtices of the bench at Weſtminſter ſhall deliver them in the exchequer, and the juſtices in eyre unto the ſheriff, and they ſhall be charged therewith in ſummons by the rolls of the juſtices. Awarding the great diſtreſs.

II. *Eng. Stat.* Artic. ſuper chart. 28 *Edw.* 1. *cap.* 15. In ſummons and attachments in plea of land, the writs ſhall contain fifteen days at leaſt, according to the common law, if it be not in attachment of aſſiſes taken in the King's preſence, or of pleas before juſtices in eyre. Days in writs.

Writs of *capias*.

III. *Eng. Stat.* 6 *Hen.* 6. *cap.* 1. Before any *exigend* be awarded againſt perſons indicted of felony and treaſon before the King in his bench, writs of *capias* ſhall be directed as well to the ſheriff of the county in which they be indicted, as to the ſheriff of the county whereof they be named in the indictments, the ſame *capias* having ſix weeks at leaſt before the return of the ſame; which writs returned, the juſtices ſhall proceed as they have done before; and if any *exigend* be awarded, or any outlawry pronounced againſt ſuch perſons indicted before the return of the ſaid writs, the ſame ſhall be void; and this ordinance ſhall endure ſo long as ſhall pleaſe the King.

Second *capias* before *exigent*.

IV. *Eng. Stat.* 8 *Hen.* 6. *cap.* 10. *ſect.* 2. Upon every indictment or appeal, by which any of the lieges dwelling in other counties, than there where ſuch indictment or appeal is taken, of treaſon, felony or treſpaſs, before any *exigend* awarded, after the firſt *capias* returned, another *capias* ſhall be awarded, directed to the ſheriff of the county whereof he which is ſo indicted is ſuppoſed to be converſant, containing three months from the date of the writ, where the counties be holden from month to month, and where the counties be holden from ſix weeks to ſix weeks, he ſhall have four months until the day of the return of the writ, by which ſecond *capias* it ſhall be commanded to the ſheriff to take him by his body, if he may be found within his bailiwick.

Proclamations to be made.

(2) And if he may not be found, that the ſheriff make proclamation in two counties before the return, that he which is ſo indicted or appealed, appear before the juſtices or commiſſioners where he is indicted or appealed, &c. to anſwer to the King, or to the party of the felony, treaſon or treſpaſs, whereof he is indicted or appealed; after which ſecond *capias* returned, if he which is indicted or appealed come not at the day, the *exigent* ſhall be awarded.

Exigent void.

V. *ſect.* 3. If any *exigent* ſhall be awarded in ſuch indictment or appeal againſt the form aforeſaid, or any outlawry pronounced, they ſhall be void.

Acquittal by verdict.

VI. *ſect.* 4. Provided that the ſtatute 6 *Hen.* 6. *cap.* 1. ſtand in force, and every perſon indicted or appealed in form aforeſaid, after he be acquit by verdict, ſhall have a writ and action upon the caſe againſt every procurer of ſuch indictments or appeals, and like proceſs ſhall be in the ſame as in a writ of treſpaſs with force and arms, and if ſuch procurer be attainted, the plaintiff ſhall recover treble damages.

Indictment or appeal.

VII. *ſect.* 6. Provided that if any of the lieges be appealed or indicted of felony or treaſon, and at the time of the felony or treaſon ſuppoſed he was converſant in the county whereof the indictment or appeal maketh mention, the like proceſs be made againſt ſuch indicted perſon, or appealed as hath been uſed before.

Removal by *certiorari*.

VIII. *Eng. Stat.* 10 *Hen.* 6. *cap.* 6. If any ſuch indictments taken before juſtices of peace or any other, ſhall be removed before the King in his bench or elſewhere, by *certiorari* or otherwiſe, then before any *exigent* awarded, after the firſt writ of *capias* returned, another *capias* ſhall be awarded, directed to the ſheriff of the county, whereof he that is indicted or appealed is ſuppoſed to be converſant, returnable before the King in his bench, at a day containing three months or four, of the date of the laſt writ of *capias*, according to the manner that the juſtices of peace, and other in the ſaid ſtatute 8 *Hen.* 6. *cap.* 10. ought to have done; and if any ſuch exigent be awarded upon ſuch indictment or appeal after ſuch removing againſt the form aforeſaid, or any outlawry thereupon pronounced, the ſame ſhall be void.

IX. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 15. Like proceſs *ſhall* be had in every action brought upon the ſtatute 5 *Ric.* 2. and in every action upon the caſe, as is in a common action of treſpaſs at the common law, and alſo like proceſs *ſhall* be had in every writ of annuity and covenant as in an action of debt. *Eng. Stat.* 19 *Hen.* 7. *cap.* 9. *and* 23. *Hen.* 8. *cap.* 14. Actions on the caſe.

X. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 12. After every ſummons upon the land in any real action fourteen days at leaſt before the day of the return thereof, proclamation of the ſummons ſhall be made on a Sunday, at or near the moſt uſual door of the church or chapel of that town or pariſh where the land whereupon that ſummons was made, doth lie, and in caſe there be no church nor chapel, then in the church-yard of the ſame pariſh; and that proclamation ſhall be returned, together with the names of the ſummoners, and if ſuch ſummons ſhall not be proclaimed and returned according to this act, then no *grand cap.* to be awarded, but an *alias* and *pluries* ſummons, until a ſummons and proclamation ſhall be duly made and returned. *Eng. Stat.* 31 *Eliz. cap.* 3. *ſect.* 2. Summons in real actions.

XI. *Stat.* 7 *Will.* 3. *cap.* 25. *ſect.* 5. In all actions of debt and other perſonal actions, and alſo in actions of *ejectione firme*, for lands in either of his Majeſty's courts *of King's-bench, or common pleas*, after any iſſue joined to be tried by a jury, and alſo after any judgment obtained in any ſuch action, there ſhall not need to be fifteen days between the *teſte* and day of return, of any writs of *venire facias, habeas corpora jurator'* or *diſtringas jurator'*, writs of *fieri facias*, or writs of *capias ad ſatisfaciendum*; and the want of fifteen days between the *teſt day* and the day of the return of any ſuch writ, ſhall not be any cauſe of error. Perſonal actions.

XII. *ſect.* 6. This act ſhall not extend to any writ of *capias ad ſatisfaciend.* whereon a writ of *exigent* after judgment is to be awarded, nor to *capias ad ſatisfaciend.* againſt the defendant in order to make any bail liable. *Eng. Stat.* 13 *Car.* 2. *ſtat.* 2. *cap.* 2. *ſect.* 6, 7. Capias ad ſatisfaciend.

Prohibition.

I. *Stat.* circumſpecte agatis, 13 *Edw.* 1. *ſtat.* 4. *ſect.* 1. The clergy ſhall not be puniſhed if they hold plea in court chriſtian of ſuch things as be meer ſpiritual, viz. of penance injoined by prelates for deadly ſin, as fornication, adultery, and ſuch like, for which ſometimes corporal penance, and ſometimes pecuniary is injoined, ſpecially if a freeman. Alſo if the prelates puniſh for leaving the church-yard uncloſed, or for that the church is uncovered, or not conveniently decked, in which caſes none other penance can be injoined but pecuniary. Meer ſpiritual things.

II. *ſect.* 2. If a parſon demand of his pariſhioners oblations or tithes due and accuſtomed, or if a parſon ſue againſt another parſon for tithes greater or ſmaller, ſo that the fourth part of the value of the benefice be not demanded. Oblations or tithes.

III. *ſect.* 3. If a parſon demand mortuaries where a mortuary hath been uſed. Mortuaries.

IV. *ſect.* 4. If a prelate or patron demand of a parſon a penſion due to him, all ſuch demands are to be made in a ſpiritual court. And for laying violent hands on a clerk, and cauſe of defamation, it hath been granted, that it ſhall be tried in a ſpiritual court, when money is not demanded, but a thing done for puniſhment of ſin; and likewiſe for breaking an oath. In all caſes afore rehearſed the ſpiritual judge ſhall have power to take knowledge, notwithſtanding the King's prohibition. Penſions. Defamation, &c.

V. *Eng. Stat.* of conſultation, 24 *Edw.* 1. Where eccleſiaſtical judges ſurceaſe to proceed by force of the King's prohibition, in caſes where remedy could not be given Writ of conſultation.

given in the King's court by any writ out of chancery, the chancellor or the chief juſtice, upon ſight of the libel at the inſtance of the plaintiff, if they ſee that the caſe cannot be redreſſed by writ out of chancery, but that the ſpiritual court ought to determine the matter, ſhall write to the eccleſiaſtical judges that they proceed therein notwithſtanding the King's prohibition.

Tithes ſold. VI. *Eng. Stat.* Artic. cler. 9 *Edw.* 2. *cap.* 1. In tithes, oblations, obventions, mortuaries, when they are propounded under theſe names, the King's prohibition ſhall hold no place; but if a clerk ſell his tithes being gathered, if the money be demanded before a ſpiritual judge, the King's prohibition ſhall lie.

Right of tithes. VII. *Eng. Stat.* Artic. cler. 9 *Edw.* 2. *cap.* 2. If debate ariſe upon the right of tithes, having original from the right of patronage, and the quantity of the tithes come to the fourth part of the goods of the church, the King's prohibition ſhall hold place, if the cauſe come before a judge ſpiritual.

Pecuniary penance. (2) Alſo if a prelate injoin a penance pecuniary, and it be demanded, the King's prohibition ſhall hold place; but if prelates injoin a penance corporal, and they which be puniſhed will redeem ſuch penances by money; if money be demanded before a judge ſpiritual, the King's prohibition ſhall hold no place.

Defamation. VIII. *Eng. Stat.* Artic. cler. 9 *Edw.* 2. *cap.* 4. In defamations prelates ſhall correct in manner aboveſaid, the King's prohibition notwithſtanding.

Tithe of a new mill. IX. *Eng. Stat.* Artic. cler. 9 *Edw.* 2. *cap.* 5. If any do erect a mill of new, and the parſon demandeth tithe for the ſame, the King's prohibition ſhall not lie.

Suit againſt indictors. X. *Eng. Stat.* 1 *Edw.* 3. *ſtat.* 2. *cap.* 11. When clerks or others have been indicted in the turn, and after their deliverance do ſue in the ſpiritual court againſt the indictors, ſurmiſing that they defamed them; in ſuch caſe every man grieved ſhall have a prohibition formed in the chancery upon his caſe.

Chancery. XI. *Eng Stat.* 18 *Edw.* 3. *ſtat.* 3. *cap.* 5. No prohibition ſhall go out of chancery, but where the King hath cognizance, and ought to have it.

Suits after conſultation. XII. *Eng. Stat.* 50 *Edw.* 3. *cap.* 4. Where a conſultation is once duly granted upon a prohibition to the judge of holy church, the judge may proceed notwithſtanding any other prohibition; provided the matter in the libel be not changed.

Copy of libel XIII. *Eng. Stat.* 2 *Hen.* 5. *ſtat.* 1. *cap.* 3. At what time the libel is grantable by law, it ſhall be delivered to the party without difficulty.

Proſecutions.

Eſcape of puniſhment. I. *Stat.* 3 *Geo.* 3. *cap.* 28. *ſect.* 19. *Whereas many perſons accuſed of and guilty of treaſon and felony eſcape the puniſhment due to ſuch crimes, by the poverty of their proſecutors, who actually forfeit their recognizances rather than undergo the loſs of their labour, and the unavoidable expence they muſt be at by attendance at the aſſizes:* if the judges of aſſizes and general gaol delivery, in any of the counties in this kingdom, ſhall recommend ſuch perſons ſo attending to proſecute as proper objects, to have an allowance for their time and avocation from their labour, it ſhall be lawful for the grand juries of the reſpective counties to preſent any ſum, not exceeding two ſhillings *per* day, for ſuch perſons as ſhall be ſo detained from their labour and buſineſs, and neceſſarily attending to proſecute.

Proſecutors recommended.

Allowance for time, &c

Two ſhillings a day.

Criminal proſecutions. II. *ſect.* 10. *And whereas it often happens in criminal proſecutions, at the ſeveral aſſizes, that the proſecutor ſhall appear at the firſt aſſizes and the criminal make default, whereupon the recognizance of the firſt is at an end, and that of the offender is eſtreated,*

and

and at the next aſſizes the offender appears, and upon the non appearance of the proſecutor is acquitted, upon certificate of which acquittal his eſtreat is reduced to ſome inconſiderable ſum, all which matters are generally carried on by a combination between the criminal and the proſecutor, to the manifeſt prejudice and prevention of juſtice in this kingdom, in ſuch caſes the judge or judges of aſſize, upon appearance of the proſecutor or proſecutors at the firſt aſſizes, and the non-appearance of the criminal, ſhall bind the ſaid proſecutors in a new, or continue them on the former recognizance, to appear at the next enſuing aſſizes, and the recognizance of ſuch criminals ſhall not be reduced, unleſs it ſhall appear to the commiſſioners of reducement, that the perſons bound over to proſecute have been examined on the trial.

Eſtreats reduced.

Appearance of proſecutors.

New recognizance.

No reducement.

III. *ſect.* 21. From henceforth no perſon who is a clerk of the crown, ſhall appear in any ſuit at the proſecution of the crown as council, attorney, or agent for the defendant.

Clerks of the crown.

Agent for defendant.

Proteſtant Purchaſers.

I. *Stat.* 1 *Geo.* 3. *cap.* 12. *ſect.* 1. No ſale, for a full and valuable conſideration, of any manors, meſſuages, lands, tenements, or hereditaments, or of any eſtate or intereſt therein, by any perſons being reputed owners, or in the poſſeſſion or receipt of the rents and profits thereof, heretofore made to or for any proteſtant purchaſers, and merely and only for the benefit of proteſtants, ſhall be impeached or avoided, by reaſon of any of the diſabilities, incapacities, or forfeitures impoſed by the acts of parliament made to prevent the further growth of popery, or any of them, or by an act of parliament paſſed in the nineteenth year of his late Majeſty, *for the more effectual preventing his Majeſty's ſubjects from entering into foreign ſervice*, &c. nor ſhall the lands, &c. or the eſtate of intereſt therein, ſo ſold, be ſued for or recovered under the ſaid acts of parliament, or any of them.

Sales for valuable conſideration.

II. *ſect.* 2. Provided, that nothing herein contained ſhall extend to, or affect any judgment or decree obtained, or any ſuit at law or in equity, inſtituted on or before the ſecond day of March, 1762, for the recovery of ſuch lands, &c. or ſuch eſtate or intereſt therein.

Saving.

III. *Stat.* 1 *Geo.* 3. *cap.* 13. *ſect.* 1. The title of any proteſtant to any eſtate or intereſt in any lands, tenements, or hereditaments, heretofore derived from, or under any convert, by purchaſe, or otherwiſe, ſhall not be impeached, or in any wiſe affected, by reaſon of any omiſſion or neglect of ſuch convert, in performing the legal requiſites of conformity, provided ſuch convert did obtain the biſhop's certificate of his or her conformity, and from the obtaining of the ſame, profeſſed the proteſtant religion, and was, and continued a proteſtant.

Tit'es of proteſtants.

IV. *ſect.* 2. All ſuch perſons as have heretofore obtained the biſhop's certificate of their conformity, and from the obtaining of the ſame, have profeſſed the proteſtant religion, and have continued proteſtants, and have not performed all the other legal requiſites of conformity, and ſhall perform the ſame before the twenty-fifth day of March, 1763, ſhall, from the time of his having filed the biſhop's certificate, of his or her conformity from the popiſh to the proteſtant religion, be deemed, and taken to be, proteſtants of the eſtabliſhed church, to all intents and purpoſes.

Certificates of conformity.

V. *ſect.* 3. Nothing herein contained ſhall impeach, or in any wiſe affect any judgment or decree made or given in any court of law or equity, or any action or ſuit commenced before the twenty-fifth day of March, 1762, and now depending; but all ſuch judgments and decrees ſhall be in ſuch like force, and all ſuch actions and ſuits may be proſecuted in ſuch manner, as if this act had not been made.

Saving.

VI. *Stat.*

Poſſeſſed of Eſtates.

VI. *Stat.* 3 *Geo.* 3. *cap.* 26. *ſect.* 1. *Whereas many families in this kingdom now are, and for many years paſt have been, in the quiet and undiſturbed poſſeſſion of eſtates formerly the eſtate of perſons profeſſing the popiſh religion, and therefore may on account*

Gavelling clauſe.

of the gavelling clauſe in the act of the ſecond year of the reign of queen Anne, *and of other clauſes in that act, and alſo in the act of the eighth year of the reign of queen*

Dormant rights,

Anne, *be hereafter diſturbed by dormant rights claimed by force, and under colour of the ſaid acts, whereby the titles of his Majeſty's proteſtant ſubjects are rendered inſecure:*

Titles of proteſtants,

the title, poſſeſſion, eſtate, or intereſt of any proteſtant in or to any meſſuages, lands, tenements, or hereditaments in this kingdom, ſhall not be avoided or impeached by the aid of the laws made in this kingdom to prevent the growth of

Popery laws,

popery, or by the aid of any of the ſaid laws, by means or by colour of any right

Twenty years,

or pretended right, which accrued twenty years before the firſt day of the preſent ſeſſion of parliament, if no ſuit has been commenced or proſecuted within that time

Perſons of ability, &c.

claiming ſuch right, and if ſome perſon or perſons of full age, of ſound memory, out of priſon in this kingdom, and diſcovert (the right being in a woman) hath been

Within 20 years.

in being at ſome time within twenty years before the firſt of the preſent ſeſſion of parliament, or before the commencement of twenty years before the firſt day of the preſent ſeſſion of parliament, who might have ſued for ſuch right.

Proteſtants intitled,

VII. *ſect.* 2. *And whereas many of his Majeſty's proteſtant ſubjects of this kingdom have become intitled to very conſiderable eſtates, by, from, and under divers perſons who*

Converts to the eſtabliſhed church,

were of the popiſh religion, and who became converts to the eſtabliſhed church, or who have been reputed proteſtants or converts, and who nevertheleſs omitted to perform thoſe requiſites preſcribed by the laws made in this kingdom, to prevent the growth of popery,

Purchaſes from converts,

in the caſe of perſons conforming from popery to the eſtabliſhed church; the title, eſtate, or intereſt of any proteſtant to any meſſuages, lands, tenements, or hereditaments in this kingdom, heretofore derived by purchaſe from any convert or reputed convert from popery, or from any reputed proteſtant, ſhall not be avoided or impeached

Not to be impeached, &c.

by the aid of any of the ſaid laws.

Biſhop's certificate,

VIII. *ſect.* 3. All ſuch perſons as have heretofore obtained the biſhop's certificate of their conformity, and from and after the obtaining the ſame have profeſſed the proteſtant religion, and have continued proteſtants, and have not performed all the

Performing requiſites, &c.

other legal requiſites of conformity, and ſhall perform the ſame before the firſt day of December, 1765, ſhall from the time of their conformity from the popiſh to the proteſtant religion, be deemed to be proteſtants of the eſtabliſhed church, to all intents.

Saving for former decrees,

IX. *ſect.* 4. Provided, that nothing herein contained ſhall bar, defeat, or prejudice any judgment or decree heretofore obtained, by any perſons in any court of law

Suits now depending.

or equity, or any ſuit now depending, grounded upon the popery laws, which hath been duly proceeded upon.

Recital of the act, 3 G. 3. c. 28.

X. *Stat.* 5 *Geo.* 3. *cap.* 15. *ſect.* 5. *Whereas an act paſſed in the third year of the reign of his preſent Majeſty* for confirming the titles, and for quieting the poſſeſſions of proteſtants, and for giving time to converts from popery to perform the requiſites of conformity, preſcribed by the laws againſt popery; *which enacts, that all ſuch perſons as had theretofore obtained the biſhop's certificate of their conformity, and from and after obtaining the ſame, had profeſſed the proteſtant religion, and had continued proteſtants, and had not performed all the other legal requiſites of conformity, and ſhould perform the ſame before the firſt day of December, in the year* 1765, *ſhould from the time of his, her, or their conformity from the popiſh to the proteſtant religion, be deemed and taken to be proteſtants of the eſtabliſhed church to all intents and purpoſes: in the ſaid act there is a proviſo, that nothing therein contained ſhould bar, defeat, or prejudice any judgment or decree theretofore obtained by any perſon or perſons whatſoever,*

ever, in any court of law or equity, or any suit now depending, grounded upon the popery laws, which have been duly proceeded upon: and whereas the time for performing the said requisites is now expired; it *is* enacted, that all such persons as have heretofore obtained the bishop's certificate of their conformity, and from and after obtaining the same have professed the protestant religion, and have continued protestants, and have not performed all the other legal requisites of conformity, and shall perform the same before the first day of December, 1767, shall, from the time of their conformity from the popish to the protestant religion, be deemed and taken to be protestants of the established church, to all intents and purposes. Provision for persons conforming.

XI. *sect.* 6. Provided, that nothing herein contained shall bar, defeat, or prejudice any judgment or decree heretofore obtained by any person or persons whatsoever, in any court of law or equity, or any suit now depending, grounded on the popery laws, which have been duly proceeded upon. Saving.

Protestant Schools.

I. *Stat.* 23 *Geo.* 2. *cap.* 11. *sect.* 1. It shall be lawful for the incorporate society for promoting English protestant schools, under their seal to appoint such persons as they shall think proper in every province, to take up all children they shall find begging, or led about by any vagrant begging person, who shall appear to them to be under the age of twelve years, and above the age of five years, which person so appointed by the said society, are directed to apprehend such children, and by the order and directions of some justice of the peace of the county, or county of the city or town where such children shall be found, to convey them to such charter school as shall lie convenient to them, and the master or mistress of the said charter school is hereby required to take into his or her care, and to support such children, till the said master or mistress shall receive direction from the said society, or the committee of fifteen or any three of the said committee, for the further disposal of them. Begging children.

II. *sect.* 2. It shall be lawful for the said society, or any three of the said committee, to send such children to be educated in any charter school, and when of proper age to bind out them to any protestant till such child arrives at the age of one and twenty years, or as an apprentice to any creditable protestant tradesman, till such apprentice be twenty four years old compleat. Binding out apprentices.

III. *sect.* 3. The age of every child so bound out as a menial servant, or as an apprentice, shall be ascertained in the indentures by which the child is bound out, and the age fixed by such indenture, shall, in all controversies that may arise between such servant or apprentice and their respective masters and mistresses be taken for the true age of such child, and an exemplification of such indentures, which shall be always entered in a book of the said society to be kept for that purpose, and signed by the said committee of fifteen, or any three of them, shall in all controversies relating thereto be as authentick as a counterpart of the said indenture. Age of children

IV. *sect.* 4 And if any child received into such charter or any other charity school, or bound out as aforesaid, shall withdraw from such charter or other charity school, without licence of the master or mistress, or behave disorderly, such child or apprentice shall be punished in such manner as hired servants departing their masters service within the time for which they were hired, are liable to be punished by the act of the second of king George the first. Children withdrawing.

V. *sect.* 5. Provided, that if any party shall think him or herself aggrieved by any thing which shall be done in pursuance of this act, he or she may appeal to the next quarter-sessions of the peace for the county, or the county of the city or town, where the party complained of in such appeal shall reside, notice of which appeal shall be given in writing to the other party fourteen days before such quarter-sessions. Appeal to quarter-sessions.

(2) And

Certificate of determination.

(2) And the respective justices of the peace, or the greater part of them, who shall hold such quarter-sessions, are required to determine the matter of such appeal, and to give under their hands and seals a certificate, signifying what their determination is, which shall be conclusive to all parties, and all persons concerned are required, upon such certificates being produced to them, immediately to obey such determination, and if any person shall neglect or refuse so to do, they may be indicted at some following quarter-sessions, to be held as aforesaid, as for a misdemeanor, and punished if found guilty, as persons guilty of misdemeanors may now be punished.

Notice of appeal.

VI. *sect.* 6. In case there be no sufficient time to give the said fourteen days notice, the said appeal shall be made to the second quarter-sessions on giving the like notice.

Seducing children.

VII. *sect.* 7. If any person shall seduce or intice to run away, or shall forcibly carry away, or attempt to carry away, any child placed, or going to be placed in any of the said charter or charity schools, or from their services or apprenticeships, or shall harbour, conceal or entertain any such child knowingly, the person so offending, being thereof convicted, shall be committed to the house of correction for six months, there to be employed in hard labour.

Consent of parents.

VIII. *sect.* 8. Every child received into any charter school, with the consent of the father or mother, shall from thenceforth be reputed the child of the public, and it shall be lawful for the incorporated society to detain and dispose of such child in manner as aforesaid, notwithstanding any claim of right to such children, made by the father or mother, or any person whatsoever, and in case any child shall have been received into the said charter-schools at the request of any persons being or pretending to be relations or friends of such child, with or without the consent of the father or mother, such child shall likewise be reputed the child of the public; and it shall be lawful for the incorporated society to detain and dispose of such child in manner as aforesaid, unless the father or mother of such child, shall within three months after the reception of such child into such charter school, claim and demand the same, as having been placed there without their knowledge and consent, and shall make proof by oath taken in writing before a justice of the peace, of his or her being the father or reputed father or mother of such child, and that such child was so placed without either of their knowledge and consent, and shall also pay to the local committee for such charter school, two shillings for every week the child had been maintained in such charter school, in which case such child shall be restored to such father or mother claiming and demanding the same.

Debauching female children.

IX. *sect.* 9. If any schoolmaster of any charter or other charity school, shall have carnal knowledge of any female child above the age of twelve years under his care, or if any schoolmaster or schoolmistress shall consent or be privy to any other person so doing, he or she being convicted thereof at the assises, shall be three times publickly whipped, upon three several market days at noon, in the county-town where such person shall be convicted.

Bishops and ecclesiastical persons,

X. *Stat.* 5 *Geo.* 3. *cap.* 6. *sect.* 17. *For the further encouragement of English protestant schools*, it *is* enacted, that it shall be lawful for every archbishop, and bishop, and for every dean, archdeacon, dignitary, prebendary, rector, vicar, and ecclesiastical person whatsoever, with the consent of the archbishop or bishop of their respective diocese, signified under the hand and seal of such archbishop and bishop re-

Tenants for life,

spectively, and for every person being seized of an estate for life, in possession of any land, with immediate remainder over to his issue in tail, by deeds indented, to demise for any term of years or lives, with covenant of perpetual renewal, any quantity

May grant thirty acres.

of land to them respectively belonging, not exceeding thirty acres plantation measure,

to

to the incorporated ſociety and their ſucceſſors, reſerving a rent not leſs than the improved yearly value of the ſame, at the time of making ſuch demiſe, payable to thoſe who are or ſhall be intitled to the freehold and inheritance thereof.

XI. (2) And all grants ſo to be made, ſhall be good and effectual againſt the ſucceſſors of every ſuch archbiſhop, biſhop, dean, archdeacon, dignitary, prebendary, rector, vicar, and other eccleſiaſtical perſon reſpectively, and againſt all perſons claiming or to claim any eſtate, right, title, or intereſt in ſuch land, by virtue of any limitation, remainder, or reverſion expectant upon ſuch eſtate for life. Good againſt ſucceſſors.

XII. *ſect.* 18. Provided, that in caſe the ſaid lands and premiſes ſo demiſed ſhall not be applied and made uſe of for the benefit and ſupport of the charter ſchools or nurſeries, or ſome of them that are or ſhall be erected and eſtabliſhed by ſaid ſociety, ſuch demiſe ſhall be abſolutely null and void. Void unleſs made uſe of.

The duties on hawkers and pedlars licences are alſo appropriated to the ſupport of theſe ſchools. *See Tit.* **Hawkers and Pedlars.**

Publick Money.

I. *Stat.* 33 *Geo.* 2. *cap.* 7. *ſect.* 1. The ſheriffs of counties of cities, and counties of towns, reſpectively, ſhall, within fifteen days after every aſſizes, at which any money ſhall be preſented to be raiſed, poſt up notices in writing upon the Tholſels, or market-houſes of ſuch cities and towns reſpectively, appointing a day, which muſt be at leaſt ſix days after the poſting up ſuch notice reſpectively, for holding an aſſembly in the public court-houſe of ſuch city or town to aſſeſs the ſeveral ſums preſented to be raiſed at the preceding aſſizes; and the juſtices of the peace of ſuch counties of cities, &c. ſhall aſſemble at the time and place mentioned in ſuch notices; and ſuch juſtices ſo aſſembled, or the major part of them, ſhall publickly, and in open court, aſcertain the ſums to be raiſed upon ſuch parts of the ſaid counties of cities, &c. as have been uſually charged according to the acre, and ſhall applot the ſame in the uſual manner, and as to ſuch parts of the ſaid counties of cities, &c as have been heretofore uſually charged according to the ſubſtance of the inhabitants, they ſhall aſcertain the ſum to be raiſed by each reſpective pariſh. Aſſeſſment of money preſented.

II. *ſect.* 2. The town-clerks of ſuch cities and towns reſpectively, ſhall attend at all ſuch aſſemblies, and make regular entries of all ſuch aſſeſſments, in a book to be kept for the purpoſe, and ſhall, within ten days after ſuch aſſeſſments, deliver to the reſpective miniſters or curates of the ſaid ſeveral pariſhes, notices in writing, ſubſcribed with the names of ſuch town-clerks reſpectively, mentioning the ſums to be raiſed by ſuch pariſhes reſpectively. Entries of aſſeſſments.

III. *ſect.* 3. Such pariſhes reſpectively, ſhall, within thirty days after ſuch notices, applot the ſums to be raiſed by ſuch pariſhes, in the ſame manner as pariſh rates are uſually applotted, and ſhall return ſuch applotments, ſubſcribed with the reſpective names of the miniſters and church-wardens of the ſaid pariſhes, to the reſpective town-clerks. Applotments in thirty days.

(2) And in default of ſuch applotment or return, within ſaid time, the ſaid juſtices reſpectively, or the major part of them, ſhall, at publick aſſemblies to be held for the purpoſe, within one month after ſuch neglect, applot the ſums to be raiſed by ſuch pariſhes as ſhall omit to make ſuch returns, and ſhall return ſuch applotments under their reſpective hands to the ſaid town-clerks. In default the juſtices ſhall applot.

IV. *ſect.* 4. Such town-clerks ſhall make regular entries of ſuch applotments, in their reſpective books, and ſhall file all ſuch returns, and ſhall, upon demand, without any fee or reward, deliver to the treaſurers of ſuch counties, &c. atteſted copies of ſuch applotments. Entries to be made of returns.

Penalty on juſtices abſenting.

V. *ſect.* 5. In caſe any of the ſaid juſtices ſhall wilfully abſcond himſelf from any ſuch aſſembly, he ſhall forfeit for every ſuch offence, the ſum of ten pounds, to be recovered by civil bill, before the next going judges of aſſize, for the city or town for which he ſhall be a juſtice, by any perſon who ſhall ſue for the ſame; and in caſe any of the ſaid town-clerks ſhall omit to obſerve the directions before or herein after mentioned, he ſhall forfeit for every ſuch offence, twenty pounds, to be recovered in like manner, by civil bill, by any perſon who ſhall ſue for the ſame.

Treaſurers to collect.

VI. *ſect.* 6. All money that ſhall be preſented to be raiſed after the firſt day of June, 1760, within counties of cities, &c. ſhall be collected by the treaſurers of ſuch counties, &c. or by perſons impowered by them, and for whom they ſhall be anſwerable.

Recognizance with ſureties.

VII. *ſect.* 7. The ſaid treaſurers ſhall, at every aſſizes at which any money ſhall be preſented to be raiſed, enter into recognizances with two ſufficient ſureties, before the reſpective judges of aſſizes, in double the ſums preſented to be raiſed, conditioned to collect, and account for the ſums ſo preſented.

Account on oath.

VIII. *ſect.* 8. The ſaid treaſurers ſhall collect the ſums ſo preſented and applotted, before the aſſizes next enſuing the aſſizes at which the ſame ſhall be preſented, and ſhall on the firſt day of the ſaid next aſſizes return accounts to the judges of aſſize, with the affidavits of ſuch treaſurers, at the foot thereof, verifying the truth of ſuch accounts, of the ſeveral ſums ſo collected, and to whom the ſame, or any part thereof, ſhall have been paid, and at what times, and ſhall likewiſe return the like accounts and affidavits to the grand juries for ſuch counties of cities, &c.

Fine for neglect.

(2) And in default of ſuch returns, it ſhall be lawful for the judges of aſſize, to fine ſuch treaſurers, in any ſum not exceeding one hundred pounds, and to commit ſuch treaſurers for the ſame.

Examination of accounts.

IX. *ſect.* 9. If the ſaid judges or grand juries ſhall ſuſpect the truth of any article in ſuch accounts, it ſhall be lawful for them to examine ſuch treaſurers, or any other perſons they ſhall think fit, upon oath, touching the truth of ſuch articles.

Fine for fraud.

(2) And in caſe it ſhall be diſcovered, that any ſuch treaſurers have been guilty of any fraud in ſuch account, the judges of aſſize may fine ſuch treaſurer in any ſum not exceeding one hundred pounds, and commit him in execution for the ſame.

Swearing falſely.

X. *ſect.* 10. In caſe ſuch treaſurer ſhall ſwear any thing which is falſe in ſuch affidavit, he ſhall, on conviction, ſuffer ſuch puniſhment as perſons convicted of wilful and corrupt perjury are by the laws of this kingdom ſubject to.

Inſolvencies to be made up.

XI. *ſect.* 11. In caſe it ſhall appear by ſuch accounts, that there have been any inſolvencies, ſuch ſums ſo returned inſolvent, ſhall be charged upon the reſpective pariſhes in which ſuch inſolvencies ſhall have happened, and ſhall within one month after ſuch aſſizes, be applotted by ſuch reſpective pariſhes, or in default thereof, by the juſtices of the peace, in manner before mentioned.

Allowance for collecting.

XII. *ſect.* 12. Such treaſurers ſhall be allowed twelve pence for every pound they ſhall account for, and ſaid grand juries ſhall, at the aſſizes at which ſuch ſums ſhall be ſo accounted for, preſent the ſame to be levied and paid to ſuch treaſurers, for their trouble and expence in collecting the ſum ſo accounted for.

Accounts to be filed.

XIII. *ſect.* 13. The ſaid town-clerks ſhall immediately after ſuch aſſizes file in their offices, the accounts ſo returned by ſaid treaſurers, and ſhall alſo make regular entries of the ſame in their books.

Power of treaſurers.

XIV. *ſect.* 14. The ſaid treaſurers, or perſons by them appointed, ſhall be inveſted with the ſame powers for collecting publick money, as conſtables are by the laws now in force inveſted with.

Not to extend to Dublin.

XV. *ſect.* 15. Nothing herein contained ſhall extend to the city or county of the city of Dublin.

This

This act, with the alterations and amendments contained in Stat. 1 Geo. 3. cap. 17. *is continued from the 25th of March, 1762, for 21 years, and to the end of the then next ſeſſion of parliament.* Continuation.

XVI. *Stat.* 1 *Geo.* 3. *cap.* 17. *ſect.* 26. Whereas an act paſſed in the thirty-third year of his late Majeſty's reign, *for the more equal aſſeſſing, and better collecting of publick money, in counties of cities, and counties of towns*, is near expiring, and is fit to be continued, with the amendments herein after mentioned; be it enacted, that in caſe any of the miniſters in the ſaid recited act mentioned, or their curates, ſhall refuſe or neglect to ſummon or hold veſtries, within the time preſcribed by the ſaid act, for the purpoſe of applotting the money to be raiſed in their reſpective pariſhes, or ſhall refuſe or neglect to return ſuch applotments, as by the ſaid act is directed, every ſuch miniſter, in whoſe pariſh there ſhall be ſuch neglect, ſhall forfeit, for every ſuch offence, ten pounds, to be recovered by civil bill, before the judges of aſſize, by any perſon who ſhall ſue for the ſame. Neglecting to hold veſtries, &c.

(2) And in caſe any of the treaſurers, in the ſaid act mentioned, ſhall refuſe or neglect to collect the ſeveral ſums, preſented and applotted in purſuance of the ſaid act, before the aſſizes next enſuing the aſſizes at which the ſame ſhall have been preſented, and it ſhall appear to ſuch judges of aſſize, that ſuch neglect was wilful, it ſhall be lawful for ſuch judges of aſſize, to fine ſuch treaſurer in any ſum, not exceeding twenty pounds, and to commit him for the ſame. Treaſurers neglecting to collect.

XVII. *ſect.* 27. The ſaid recited act, with the alterations and amendments herein contained, ſhall be continued from the twenty-fifth day of March, 1762, for twenty one years, and from thence to the end of the then next ſeſſion of parliament. Continuation of the act, 33 G. 2.

XVIII. *ſect.* 28. Nothing in the ſaid act, or herein contained, ſhall extend to the cities, or counties of the cities of Dublin or Cork. Dublin and Cork.

XIX. *Stat.* 5 *Geo.* 3. *cap.* 14. *ſect.* 22. The grand juries of the ſeveral counties in this kingdom, may at the aſſizes, or quarter ſeſſions, if in the county of Dublin, appoint proper perſons to collect the money preſented to be raiſed by the grand juries of ſuch counties reſpectively, and may allow ſuch perſons any ſum not exceeding ſix pence in the pound for col ecting the ſame. Appointment of collectors,

(2) Provided the perſons ſo appointed, ſhall give ſufficient ſecurity before the judge of aſſize, or king's bench, for the payment of ſaid money, to the treaſurer of the ſaid county, on or before the ſecond day of the next aſſizes or ſeſſions. Sufficient ſecurity.

XX. *ſect.* 23. And the ſeveral conſtables are hereby required to aid and aſſiſt ſuch perſons in collecting the money ſo preſented, as alſo all perſons impowered by this act to levy publick money, which if any conſtable ſo required ſhall refuſe to do, every ſuch conſtable ſo refuſing, ſhall, upon conviction by the oath of two credible witneſſes, before any two juſtices of the peace of the county, city, or town corporate, where ſuch offence ſhall be committed, forfeit for every ſuch offence a ſum not exceeding ten pounds, to be levied, together with the charges, by diſtreſs and ſale of the goods of the offender, by the warrant of any two ſuch juſtices of the peace of ſuch county, city, or town corporate where ſuch offence ſhall have been committed; one moiety of which penalty ſhall be paid to the informers, and the other moiety for the poor of the pariſh in which ſuch offence ſhall have been committed. Conſtables to aſſiſt. Neglecting forfeit 10 *l.*

XXI. *ſect.* 24. And all perſons impowered by this act to levy or collect publick money, are hereby impowered by diſtreſs and ſale of the goods and chattles of all ſuch perſons who ſhall refuſe to pay their proportion thereof, to levy the ſame, and after the ſale of ſuch diſtreſs, to retain the money which the ſaid perſons ought to pay, rendering the overplus (if any) to the owner, after deducting twelve pence in the pound for the trouble in levying the ſame. Diſtreſs and ſale of goods.

Copies of preſentments.

XXII. *ſect.* 25. And the treaſurer of each county ſhall at every aſſizes or ſeſſions demand from the clerk of the crown, copies of all preſentments made at that aſſizes or ſeſſions for the raiſing of money, which the ſaid clerk of the crown ſhall forthwith, upon demand of ſuch treaſurer, make out and give to the ſaid treaſurer, ſigned by him, and certified to be true copies, without fee or reward.

Neglect to give copies.

(2) And if he ſhall fail or neglect to make out and give ſuch copies, ſigned and certified as aforeſaid, to ſuch treaſurer within fourteen days after ſuch demand made, he ſhall forfeit ten pounds, which may be recovered by any perſon who will ſue for the ſame, by action of debt, bill, plaint, ſuit, or information, in any of his Majeſty's courts of record in Dublin, in which no eſſoign, protection, privilege, or wager of law, or more than one imparlance ſhall be allowed.

Orders to be iſſued.

XXIII. *ſect.* 26. And the treaſurer of each county having received ſuch copies of the preſentments, ſigned and certified as aforeſaid, ſhall thereupon iſſue his orders for levying and collecting the ſeveral ſums of money preſented, which ſhall be thereupon levied and collected by the perſons ſo as aforeſaid impowered to levy and collect the ſame, and ſhall be paid on or before the ſecond day of the aſſizes, or quarter ſeſſions, if in the county of Dublin, to ſuch treaſurer, by the ſaid perſons, and ſhall be accounted for by ſuch treaſurer the laſt day but one of the aſſizes or ſeſſions as aforeſaid.

Quere diſcharged.

XXIV. *ſect.* 27. And if it ſhall appear to any judge, upon due proof by two credible perſons upon oath, at any aſſizes or ſeſſions within one year after any quere on any preſentment, by which money was granted, has been diſcharged, that the court was deceived by any affidavit for diſcharging ſuch quere, and that the money was not expended agreeably to the preſentment, the judge of aſſize, or court of king's bench may, notwithſtanding ſuch quere was diſcharged, fine or iſſue proceſs in ſuch caſe againſt the overſeers mentioned in ſuch preſentment, as if the quere had not been anſwered.

Warrants to be iſſued againſt treaſurers, &c.

XXV. *ſect.* 47. It ſhall be lawful for the juſtices of his Majeſty's court of king's bench in term time, and for the judges of aſſize in their reſpective circuits, from time to time, to order warrants, in nature of an execution, to iſſue, directed to the high ſheriff, or other officer lawfully authorized, within the reſpective counties, and counties of cities and towns within the province where any perſon was made treaſurer, overſeer, conſtable, collector, or receiver, impowering ſuch high ſheriff, or his under ſheriff, or lawful deputy, or other officer lawfully authorized, by ſale of the goods and chattles, or ſufficient part thereof, or by or out of the rents, iſſues, and profits of the lands and tenements of any treaſurer or overſeers of roads, and other publick works, high and petty conſtables, and other collectors and receivers of the publick money, who ſhall not have accounted for and paid ſuch publick money, and who ſhall be found to be in arrear for the ſame, or any part thereof, to raiſe, levy, and collect ſuch ſums of money for which they ſhall be ſo in arrear.

Fees to ſheriffs for collecting.

XXVI. *ſect.* 48. For the collecting of which, ſuch high ſheriff, or his under ſheriff, or lawful deputy, or other officer lawfully authorized, ſhall be intitled to receive one ſhilling for every pound he ſhall ſo collect, to be levied in manner aforeſaid, from ſuch perſons aforeſaid, againſt whom ſuch warrant ſhall iſſue as aforeſaid.

Purpreſtures.

Uſurpations on the King.

I. *Eng. Stat.* de bigam. 4 *Edw.* 1. *ſtat.* 3. *cap.* 4. Concerning *purpreſtures* or uſurpations made upon the King, where ſuch uſurpers be living, the King ſhall reſume the land uſurped; and if any complain of ſuch reſeiſers, he ſhall be heard.

I. *Eng.*

Purveyance.

I. *Eng. Stat.* 34 *Edw.* 3. *cap.* 2. Takings ſhall not be made by other than the purveyors of the King, of the Queen, and of the Prince; and if any other man's purveyors make ſuch takings, it ſhall be done of them as of thoſe which do without warrant, and their deed judged as a thing done againſt the peace and the law of the land. Purveyance againſt law.

II. *Stat.* 18 *Hen.* 6. *cap* 1. No purveyor, harbenger, nor avener, ſhall be within the land of Ireland, but the lieutenants, juſtices, or governors that ſhall be, ſhall pay or agree with them from whom any goods ſhall be taken by their achators. And if the ſaid lieutenants, juſtices, or governors by their achators do not in the order aforeſaid, it ſhall be lawful to him whoſe the goods are, to make reſiſtance to ſuch achators or officers, without offence or impeachment of the King. All the eſtatutes in this behalf made within the realm of England be holden and put in execution in this land. No purveyor to be in Ireland.

There are ſeveral old Engliſh ſtatutes relative to this ſubject, which are omitted in Mr. Cay's abridgment, and are now obſolete.

Qualification.

I. *Stat.* 5 *Geo.* 3. *cap.* 11. *ſect.* 1. *Whereas ſeveral perſons well affected to his Majeſty's government, and the church of Ireland as by law eſtabliſhed, may have through ignorance neglected or been prevented by ſickneſs, or other unavoidable cauſes, from taking and ſubſcribing the oaths, and making and ſubſcribing the declaration, and from receiving the ſacrament of the Lord's ſupper, according to the directions of an act made in this kingdom in the ſecond year of the reign of her late Majeſty Queen Anne* (to prevent the further growth of popery) *and by their inadvertency may have incurred great penalties:* all perſons who have incurred any penalties and incapacities in the ſaid act mentioned, by neglecting to qualify themſelves according to the ſaid act, are hereby diſcharged from all incapacities, diſabilities, forfeitures, and penalties incurred, by reaſon of ſuch neglect, and no act done by any of them, or by authority derived from any of them, and not yet avoided, ſhall be queſtioned, by reaſon of ſuch neglect, but all ſuch acts are hereby declared to be as effectual, as if ſuch perſons had taken and ſubſcribed the oaths, and received the ſacrament, and made and ſubſcribed the declaration. Omiſſion to qualify. Penalties incurred. Diſcharge from diſabilities.

II *ſect.* 2. Provided ſuch perſons ſhall take and ſubſcribe the oaths, and receive the ſacrament, and make, repeat, and ſubſcribe the declaration, in ſuch manner, and in ſuch places, as are appointed by the ſaid act *to prevent the further growth of popery*, on or before the firſt day of Auguſt, 1764. Further time to qualify.

III. *ſect.* 3. *And whereas ſeveral of his Majeſty's ſubjects are often preferred in the army reſiding in Great Britain, by which they are, by the laws in force in that kingdom, obliged to qualify themſelves in ſome part of Great Britain, by receiving the ſacrament, taking the oaths, and ſubſcribing the declaration within the time mentioned in ſuch laws: and the regiments in which ſuch officers have commiſſions ſo granted to them, are often ordered into this kingdom, and put upon this eſtabliſhment, by which a doubt has ariſen, whether ſuch officers, notwithſtanding they have qualified themſelves in Great Britain for ſuch commiſſions according to the ſaid laws, are not by the laws in force in this kingdom obliged to qualify themſelves after their arrival here for ſuch commiſſions,* no officers ſo preferred in Great Britain, who ſhall have qualified themſelves for ſuch commiſſions, according to and within the time limited by the laws made in Great Britain, ſhall be obliged to qualify themſelves in this kingdom, for ſuch commiſſion after their arrival in this kingdom, and being put upon this eſtabliſhment. Officers in the army. Qualifying in Great Britain. Put upon the Iriſh eſtabliſhment. Not obliged to qualify in Ireland.

IV. *ſect.*

Qualification.

Not to reſtore to offices filled up, &c.

IV. *ſect.* 4. Provided that this act ſhall not extend to reſtore or intitle any perſon to any office or employment, already actually avoided by judgment of any of his Majeſty's courts of record, or already filled up by any other perſon, but that ſuch office or employment ſhall remain in the perſons who are now intitled by law to the ſame.

Quarantine.

Place and time for quarantine.

I. *Brit. Stat.* 26 *Geo.* 2. *cap.* 6. *ſect.* 1. All ſhips and veſſels arriving, and all perſons, goods, and merchandizes coming, or imported into Great Britain or Ireland, or the iſles of Guernſey, Jerſey, Alderney, Sark, or Man, from any place from whence his Majeſty, &c. with the advice of their privy council, ſhall judge it probable that the infection *of the plague* may be brought, ſhall be obliged to make their quarantine in ſuch places, for ſuch time, and in ſuch manner, as hath been, or ſhall be directed by his Majeſty, &c. by order made in council, and notified by proclamation, or publiſhed in the London Gazettee.

No perſons or goods to be landed.

(2) And until ſuch ſhips, veſſels, perſons, goods, and merchandizes, ſhall have reſpectively performed, and be diſcharged from, ſuch quarantine, no ſuch perſons, goods, or merchandizes, or any of them, ſhall come or be brought on ſhore, or go or be put on board any other veſſel, in any place within his Majeſty's dominions, unleſs in ſuch manner, and in ſuch caſes, and by ſuch licence, as ſhall be directed or permitted by ſuch orders made in council as aforeſaid; and all ſuch veſſels, and the perſons or goods coming or imported in, or going or being put on board the ſame, and all ſhips, veſſels, boats, and perſons, receiving any goods or perſons out of the ſame, ſhall be ſubject to ſuch orders made in council, and notified or publiſhed as aforeſaid.

Notice to officer of the cuſtoms.

II. *ſect.* 2. If the plague ſhall appear on board any ſhip, being to the northward of Cape Finiſterre, the maſter, or other perſon having charge thereof, ſhall immediately proceed to the harbour of New Grimſby in the iſlands of Scilly (*ſee Par.* XXV.) where being arrived, he ſhall make known his caſe to ſome officer of the cuſtoms there, who ſhall immediately acquaint ſome cuſtom-houſe officer of ſome near port of England thereof.

Intelligence to one of the ſecretaries.

(2) And the ſaid cuſtom-houſe officer ſhall with all poſſible ſpeed ſend up the intelligence thereof to one of his Majeſty's principal ſecretaries of ſtate, that ſuch meaſures may be taken for the comfort and ſupport of the crew of ſuch ſhip ſo infected, and ſuch precautions uſed to prevent the ſpreading of the infection, as the caſe ſhall require; and the ſaid ſhips ſhall remain at the ſaid iſlands of Scilly, till his Majeſty's pleaſure be known; nor ſhall any of her crew go on ſhore.

Ships not to enter into any port.

(3) But in caſe the ſaid maſter, or other perſon having charge of the ſaid ſhip ſo infected, ſhall not be able to make the ſaid iſlands of Scilly, or ſhall be forced by ſtreſs of weather, or otherwiſe, to go up either of the channels, he ſhall not preſume to enter with ſuch ſhip into any port, but ſhall remain in ſome open road, till he receives orders from his Majeſty, or his privy council, and ſhall take care to prevent any of his ſhip's company from going out of his ſhip, and to avoid all intercourſe with other ſhips or perſons.

Diſobedience made felony.

(4) And the ſaid maſter, or any other perſon on board ſuch ſhip, who ſhall be diſobedient herein, ſhall be adjudged guilty of felony, and ſhall ſuffer death as in caſes of felony, without benefit of clergy; and every ſuch offence ſo made felony, ſhall be enquired of and determined in the county where the offence ſhall be committed, or elſe in the county where the offender ſhall be apprehended.

III. *ſect.*

III. *sect.* 3. When any country or place ſhall be infected with the plague; or when any orders ſhall be made by his Majeſty, &c. concerning quarantine, and the prevention of infection as aforeſaid, as often as any veſſel ſhall attempt to enter into any place in Great Britain or Ireland, or of the iſles of Guernſey, Jerſey, Alderney, Sark, or Man, the principal officer of his Majeſty's cuſtoms in ſuch place, or ſuch perſon as ſhall be authorized to ſee quarantine duly performed, ſhall go off, or cauſe ſome other perſon to be by him appointed for that purpoſe to go off, to ſuch veſſel; and ſuch officer, or other perſon authorized as aforeſaid, or the perſon ſo by him appointed for that purpoſe, ſhall, at a convenient diſtance from ſuch veſſel, demand of the maſter, or other perſon having charge of ſuch veſſel; Ships to be viſited by officers.

(2) And ſuch maſter, or other perſon having charge of ſuch veſſel, ſhall upon ſuch demand give a true account of the name of ſuch veſſel; the name of the commander, or perſon having charge thereof; at what place or places the cargo was taken on board; what place or places the veſſel touched at in her voyage; whether ſuch places, or any, and which of them were infected with the plague; how long ſuch veſſel had been in her paſſage; how many perſons were on board when the ſaid veſſel ſet ſail; whether any, and what perſons, during that voyage on board ſuch veſſel, had been, or ſhall be then infected with the plague; how many died in the voyage, and of what diſtemper; what veſſels he, or any of his ſhips company, with his privity, went on board, or had any of their company come aboard his veſſel in the voyage; and to what place ſuch veſſels belonged; and alſo the true contents of his lading, to the beſt of his knowledge. Maſters to give a true account.

(3) And in caſe it ſhall appear upon ſuch examination, or otherwiſe, that any perſon then on board ſuch veſſel ſhall at the time of ſuch examination be actually infected with the plague, or that ſuch ſhip is obliged to perform quarantine, it ſhall be lawful for the officers of any of his Majeſty's ſhips of war, or any of his Majeſty's forts or garriſons, and all other his Majeſty's officers whom it may concern, upon notice thereof given any of them reſpectively, and for any other perſons whom they ſhall call to their aſſiſtance, and they are hereby required to oblige ſuch veſſel to go to ſuch place as hath been, or ſhall be appointed for performance of quarantine, and to uſe all neceſſary means for that purpoſe, be it by firing of guns upon ſuch veſſel, or any other kind of force or violence. In caſe of infection.

(4) And in caſe any ſuch veſſel ſhall come from any place viſited with the plague, or have any perſon on board actually infected, and the maſter or other perſon having charge of ſuch veſſel, ſhall conceal the ſame, ſuch maſter or other perſon ſhall be adjudged guilty of felony, and ſhall ſuffer death without benefit of clergy. Concealment felony.

(5) And in caſe ſuch maſter, or other perſon ſhall upon ſuch demand made, not make a true diſcovery in any other of the particulars aforeſaid, ſuch maſter or other perſon, for every ſuch offence ſhall forfeit two hundred pounds, one moiety thereof to the King, &c. and the other moiety to them who ſhall ſue for the ſame, by action of debt, bill, plaint, or information in any court of record at Weſtminſter, Edinburgh, Dublin, or in the proper courts of the iſles of Guernſey, Jerſey, Alderney, Sark, or Man reſpectively. Penalty of making a true diſcovery.

IV. *ſect.* 4. Every maſter, or other perſon having charge of any veſſel which ſhall be ordered to perform quarantine, as aforeſaid, ſhall, after his arrival at the place appointed for the performance of his quarantine, deliver on demand to the chief officer appointed to ſee quarantine duly performed there, ſuch bill of health, and manifeſt, as he ſhall have received from any Britiſh conſul during his voyage, together with his log-book and journal, under penalty of forfeiting five hundred pounds; one moiety thereof to the King, &c. the other moiety to them who ſhall ſue for the ſame, &c. Bills of health.

V. *ſect.*

Quitting the ſhip, or going on ſhore.

V. *ſect.* 5. If any maſter, or other perſon having charge of any veſſel liable to perform quarantine, having notice thereof, ſhall himſelf quit, or ſhall knowingly ſuffer any ſeaman or paſſenger coming in ſuch veſſel, to quit ſuch veſſel, by going on ſhore, or by going on board any other ſhip, boat, or veſſel, before ſuch quarantine ſhall be fully performed, unleſs in ſuch caſes, and by ſuch proper licence, as ſhall be directed or permitted by ſuch orders concerning quarantine, and the prevention of infection, as aforeſaid; or in caſe any maſter, or other perſon having charge of ſuch veſſel, ſhall not within convenient time after due notice given for that purpoſe by the proper officer, cauſe ſuch veſſel and the laden thereof, to be conveyed into the places appointed for ſuch veſſel and lading to perform quarantine reſpectively; then every ſuch maſter or other perſon, for every ſuch offence ſhall forfeit five hundred pounds; one moiety thereof to the King, &c. and the other moiety to them who will ſue for the ſame.

Force may be uſed to prevent landing.

(2) And alſo if any perſon ſhall ſo quit ſuch veſſel by going on ſhore, or by going on board any other veſſel, contrary to the true meaning of this act, it ſhall be lawful for all perſons by any kind of force and violence, to compel ſuch perſon to return on board ſuch veſſel; and every ſuch perſon ſo quitting ſuch veſſel, ſhall for every ſuch offence, ſuffer impriſonment for ſix months, and ſhall alſo forfeit two hundred pounds, one moiety to the King, &c. the other moiety to them that will ſue for the ſame; the ſame reſpective penalties and forfeitures to be recovered by action of debt, &c.

Erecting lazarets.

VI. *ſect.* 6. Whenever his Majeſty, &c. with the conſent of parliament, ſhall direct houſes or lazarets to be provided for the receiving of perſons obliged to perform quarantine, or for the depoſiting, opening, and airing of goods liable to perform quarantine as aforeſaid, it ſhall be lawful to erect the ſame, either in any waſte grounds or commons, or where ſuch waſte grounds or commons are not ſufficient, in the ſeveral grounds of any perſons, not being a houſe, park, garden, orchard, yard, or planted walk, or avenue to a houſe, paying ſuch rate, rent, or conſideration for the ſame to the perſons intereſted therein reſpectively, according to their ſeveral intereſts, as ſhall be agreed on between the perſons ſo intereſted, their guardians or truſtees, and any two perſons to be appointed for that purpoſe by his Majeſty, &c. under his ſign manual.

Notice to occupiers of land.

(2) And in caſe of any difference concerning ſuch conſideration between the perſons ſo intereſted, &c. and ſuch perſons ſo to be appointed by his Majeſty, &c. then the ſaid perſons ſo to be appointed by his Majeſty, &c. are authorized, thirty clear days before any general quarter-ſeſſion of the peace to be holden for the reſpective counties or diviſions where ſuch grounds ſhall reſpectively lie, to give to the occupiers of ſuch ſeveral grounds, or to be left at their laſt places of abode reſpectively, a notice in writing, deſcribing the quantity of ground ſo directed by his Majeſty, &c. with the conſent of parliament, for the purpoſes aforeſaid, and purporting that the rent or conſideration of ſuch ground will be adjuſted by a jury at the ſaid ſeſſions.

Trial by a jury.

(3) And the juſtices at their ſaid ſeſſions, upon proof to them made that ſuch notices have been given, ſhall charge the jury which ſhall attend at the ſaid ſeſſions, or ſome other jury of twelve honeſt and ſubſtantial men (to be then and there impannelled by the ſheriff of the county without fee) and cauſe to be ſworn, well and truly on their oaths to aſſeſs the value of the ground comprized in the ſaid notices, and the rent or conſideration to be given for the ſame to the reſpective owners thereof, according to their reſpective intereſts therein; which oath the ſaid juſtices are required to adminiſter to the ſaid jury, and to which ſaid jury the ſaid perſons to be appointed by his Majeſty, &c. and the parties intereſted in ſuch ground ſhall have their lawful challenges.

(2) And

(4) And the ſaid jury being ſo ſworn and charged, after proper evidence on oath given to them, ſhall by their verdict aſſeſs the rent or conſideration to be given for ſuch ground to the reſpective owners thereof, according to their reſpective intereſts therein; which verdict of the jury, and judgment of the ſaid juſtices thereupon, ſhall be concluſive, and finally bind all parties; and after ſuch verdict and judgment, his Majeſty, &c. ſhall hold and enjoy ſuch ground during all ſuch term as his Majeſty, &c. ſhall judge neceſſary for the purpoſes aforeſaid, paying for the ſame ſuch conſideration as ſhall be agreed upon, or aſſeſſed and adjudged, as aforeſaid. Verdict concluſive.

VII. *ſect.* 7. The proper officers authorized to put in execution ſuch orders as aforeſaid, are required to cauſe or compel all perſons obliged to perform quarantine as aforeſaid, and all goods and merchandizes comprized within any ſuch orders, reſpectively to repair or be conveyed to ſome of the ſaid houſes or lazarets, or to ſuch other places as ſhall be provided for the reception of ſuch perſons goods, or merchandizes, or for the opening and airing of ſuch goods according to ſuch orders as aforeſaid. Officers to execute orders.

VIII. *ſect.* 8. If any perſon obliged to perform quarantine as aforeſaid, ſhall wilfully refuſe or neglect to repair within convenient time, after due notice for that purpoſe given to them by the proper officer, to the houſe, lazaret, or other place, duly appointed for them, or having been placed in ſuch place, ſhall eſcape or attempt to eſcape out of the ſame, before quarantine fully performed; it ſhall be lawful for the watchmen, and other perſons appointed to ſee quarantine performed, by ſuch force as the caſe ſhall require, to compel every ſuch perſon ſo refuſing or neglecting, and every perſon ſo eſcaping, or attempting to eſcape, to repair or return into ſuch place ſo appointed; and every ſuch perſon ſo refuſing or neglecting to repair, within convenient time after ſuch notice, into ſuch place appointed for him or her as aforeſaid; and alſo every perſon actually eſcaping as aforeſaid, ſhall be adjudged guilty of felony, and ſhall ſuffer death as a felon, without benefit of clergy. Eſcaping from lazaret felony.

IX. *ſect.* 9. All perſons liable to perform quarantine, whether in ſhips, lazarets, or elſewhere, ſhall be ſubject during the ſaid quarantine, to ſuch orders as they ſhall receive from the proper officers authorized to ſee it duly performed; and the ſaid officers are required to enforce all neceſſary obedience to their ſaid orders, and may, in caſe of neceſſity, call in others to their aſſiſtance, and all perſons ſo called, are hereby required to aſſiſt accordingly. Obedience to orders.

X. *ſect.* 10. If any perſon not infected with the plague, nor liable to perform quarantine, ſhall enter any houſe, lazaret, or other place ſo appointed as aforeſaid, whilſt any perſon infected with the plague, or being under quarantine, ſhall be therein, and ſhall return, or attempt to return from thence, unleſs in ſuch caſes, and by ſuch licence as ſhall be directed or permitted by ſuch orders as aforeſaid; it ſhall be lawful for the watchmen, or other perſons appointed to guard or ſecure ſuch place, by ſuch force as the caſe ſhall require, to compel ſuch perſon ſo returning or attempting to return, to repair into ſuch place ſo appointed as aforeſaid, there to continue and perform quarantine; and in caſe ſuch perſon ſhall actually eſcape out of ſuch place, where he or ſhe ſhall be ſo placed for performance of quarantine, before he or ſhe ſhall have fully performed the ſame, he or ſhe ſhall be adjudged guilty of felony, and ſhall ſuffer death as a felon, without benefit of clergy. Entering lazaret.

XI. *ſect.* 11. If any officer of his Majeſty's cuſtoms, or any other officer or perſon to whom it ſhall appertain, to execute any orders made or to be made concerning quarantine, or the prevention of infection, and notified as aforeſaid, or to Officers neglecting their duty.

ſee the ſame put in execution, ſhall be guilty of any wilful breach or neglect of their duty in that behalf, every ſuch officer and perſon ſo offending, ſhall forfeit his office or employment in the cuſtoms, or any other office or employment, and ſhall become from thenceforth incapable to hold the ſame, or to take a new grant thereof, and forfeit one hundred pounds; one moiety thereof to the King, &c. and the other moiety to them who ſhall ſue for the ſame, by action of debt, &c.

Embezzling or damaging goods.

(2) And if any ſuch officer or perſon ſhall embezzle, or ſhall knowingly and willingly damage any goods performing quarantine under his direction, he ſhall be liable to pay treble damages and full coſts of ſuit.

Goods ſpecified.

XII. *ſect.* 12. All ſuch goods as ſhall be particularly ſpecified for that purpoſe, in any orders concerning quarantine, and the prevention of infection as aforeſaid, which ſhall be imported into any of his Majeſty's dominions from any foreign place, in any veſſel whatſoever, ſhall be ſubject to ſuch orders as aforeſaid.

Proof of having performed quarantine.

XIII. *ſect.* 13. After quarantine ſhall have been duly performed by any veſſel, or perſons obliged to perform quarantine, according to ſuch orders made as aforeſaid, and this act, and upon proof to be made by the oaths of the maſter or other perſon having charge of ſuch veſſel, and of two of the perſons belonging to ſuch veſſel, or upon proof to be made by the oaths of two credible witneſſes before the cuſtomer, comptroller, or collector of the port where ſuch quarantine ſhall be performed, or the next port thereunto, or before any of their deputies, or any juſtice of the peace living near to ſuch port (which perſons are hereby required to adminiſter ſuch oath) that ſuch veſſel, and all ſuch perſons reſpectively have duly performed quarantine as aforeſaid; and that the veſſel, and all ſuch perſons, are free from infection; and after producing a certificate to that purpoſe, ſigned by the chief officer who ſuperintended the quarantine of the ſaid ſhip, then and in the ſaid reſpective caſes, ſuch cuſtomer, comptroller, or collector, or any of their deputies, together with the ſaid juſtice of the peace, or ſuch jurats or magiſtrates as aforeſaid reſpectively, are required to give a certificate thereof; and thereupon ſuch veſſel, and all ſuch perſons ſo having performed quarantine, ſhall be liable to no further reſtraint or detention upon the ſame account, for which ſuch veſſel or perſons ſhall have performed quarantine as aforeſaid.

Certificate of performance.

No fee for oath or certificate.

XIV. *ſect.* 14. The officer before whom ſuch oath ſhall be made, and by whom ſuch certificate ſhall be given, ſhall, for ſuch reſpective oath and certificate, demand or take no fee.

Goods opened and aired, to be diſcharged.

XV. *ſect.* 15. Provided that all goods liable to quarantine, as aforeſaid, ſhall be opened and aired in ſuch places, and for ſuch time, and in ſuch manner, as ſhall be directed by his Majeſty, &c. by ſuch orders to be made as aforeſaid; and after ſuch orders ſhall have been duly complied with, and a certificate thereof given by the chief officer appointed to ſuperintend the quarantine and airing of ſuch goods, and proof ſhall be made thereof, by the oaths of two or more credible witneſſes, before the cuſtomer, comptroller, or collector of the port lying next to ſuch place where ſuch goods ſhall have been opened and aired as aforeſaid, or any of their deputies, or any juſtice of the peace living near the ſame, or before any two jurats or magiſtrates of the ſaid iſles of Guernſey, Jerſey, Alderney, Sark, or Man reſpectively (who are required to adminiſter ſuch oath) upon certificate and return of ſuch proof, by ſuch cuſtomer, comptroller, or collector, or any of their deputies, or ſuch two jurats or magiſtrates as aforeſaid (who are reſpectively required to make ſuch certificate and return to the commiſſioners appointed for the management of the cuſtoms of Great Britain or Ireland, or to the governor or commander in chief, being upon the place, in the iſles of Guernſey, Jerſey, Alderney, Sark, or Man reſpectively) ſuch goods ſhall be forthwith diſcharged from any reſtraint.

ſtraint or detention upon the ſame account, by order of the ſaid commiſſioners, or any two of them, or of the ſaid governor or commander in chief of any of the ſaid iſles as aforeſaid reſpectively, for every of which oath, certificate, and order, no fee ſhall be demanded or taken.

XVI. *ſect.* 16. Provided, that if any officer or other perſon ſhall demand or take any fee or reward for any ſuch oath, order, or certificate, to be adminiſtred or made in purſuance of this act, every perſon ſo offending ſhall forfeit one hundred pounds, one moiety thereof to his Majeſty, &c. and the other moiety to them who ſhall ſue for the ſame, by action of debt, bill, plaint, or information, in any court of record at Weſtminſter, Edinburgh, Dublin, or in the proper courts of Guernſey, Jerſey, Alderney, Sark, or Man reſpectively, in which caſe treble coſts ſhall be allowed to either party as in other caſes. Penalty for taking fees.

XVII. *ſect.* 17. If any officer or other perſon appointed to ſee quarantine duly performed, or any perſon placed or appointed as a watchman upon any houſe, lazaret, ſhip, or other place, for performance of quarantine, in purſuance of this act, ſhall deſert from their duty when employed on the ſaid buſineſs of quarantine, or ſhall knowingly and willingly permit or ſuffer any perſon, ſhip, goods or merchandizes, to depart or be conveyed out of ſuch ſhip, or other place reſpectively appointed for performance of quarantine, unleſs in ſuch caſes, and by ſuch licence, as ſhall be directed or permitted by ſome order made or to be made as aforeſaid; or if any perſon as directed aforeſaid to give a certificate of a ſhip's having duly performed her quarantine or airing, ſhall knowingly give a falſe certificate, in every of the ſaid caſes, every ſuch officer and perſons ſo offending, ſhall ſuffer death as in caſes of felony, without benefit of clergy. Deſerting from duty, &c. Felony of death.

XVIII. *ſect.* 18. If any perſon ſhall knowingly or wilfully conceal from the officers of quarantine, or ſhall clandeſtinely convey any letters. goods, wares, or merchandizes from any ſhip under quarantine, or liable to perform quarantine, by any ſuch order as aforeſaid, or from any lazaret or other place where goods ſhall be performing quarantine, every perſon ſo offending ſhall ſuffer death as in caſes of felony, without benefit of clergy. Concealing letters or goods, &c. Felony of death.

XIX. *ſect.* 19. When any part of Great Britain, Ireland, or the iſles of Guernſey, Jerſey, Alderney, Sark, or Man, or France, Spain, Portugal, or the Low-Countries, ſhall be infected with the plague, it ſhall be lawful for his Majeſty, &c. by proclamation, to prohibit and reſtrain all ſmall boats and veſſels under the burthen of twenty tons, from paſſing out of any place of Great Britain or Ireland, or the iſles of Guernſey, Jerſey, Alderney, Sark, and Man, until ſecurity be firſt given by the maſter of every ſuch boat or veſſel reſpectively, to the ſatisfaction of the principal officer of the cuſtoms, or the chief magiſtrate of the place from whence ſuch boat or veſſel ſhall ſail, by bond taken to the King, &c. with ſufficient ſureties, in the penalty of three hundred pounds, with condition that if ſuch boat or veſſel ſhall not go to, or touch at any place to be mentioned for that purpoſe in ſuch proclamation; and if the maſter or perſon having charge of ſuch boat or veſſel, and every mariner and paſſenger going in ſuch boat or veſſel, ſhall, during the time aforeſaid, not go on board any other veſſel at ſea; and if ſuch maſter, or perſon having charge of ſuch boat or veſſel, ſhall not permit any perſon to come on board at ſea from any other veſſel, and ſhall not during the time aforeſaid, receive any goods out of any other veſſel, then ſuch bond ſhall be void, or to ſuch effect, for the making of which bond no fee ſhall be taken. Security to be given by maſters.

(2) And in caſe any boat or veſſel for which ſuch ſecurity ſhall be required by ſuch proclamation, ſhall ſet ſail or paſs out of any place of Great Britain or Ireland, or the iſlands of Guernſey, Jerſey, Alderney, Sark, and Man, before ſuch Forfeiture for ſailing without giving ſecurity.

ſecurity be given as aforeſaid, every ſuch boat or veſſel ſo ſailing or paſſing out of any place, contrary to the intent of this act, together with her tackle, apparel and furniture, ſhall be forfeited to the King, &c. and may be ſeized, ſued for, and recovered in his Majeſty's courts of exchequer at Weſtminſter, Edinburgh, or Dublin, or in the proper courts of the iſles of Guernſey, Jerſey, Alderney, Sark, or Man reſpectively, to the uſe of his Majeſty, &c.

Penalties on maſters and mariners.

(3) And the maſter of and every mariner ſailing in any ſuch boat or veſſel, being thereof lawfully convicted upon their appearance or default, upon the oath of one credible witneſs, by one juſtice of the peace where ſuch offender ſhall be found (which oath ſuch juſtices are required to adminiſter) ſhall forfeit twenty pounds; one moiety thereof to the informer, the other moiety to the poor of the pariſh where ſuch offender ſhall be found; the ſame to be levied by diſtreſs and ſale of the offender's goods, by warrant under the hand and ſeal of ſuch juſtice before whom ſuch offender ſhall be convicted as aforeſaid; and for want of ſufficient diſtreſs, every ſuch offender ſhall by ſuch juſtice be committed to priſon, there to remain without bail for three months.

Orders to be read in churches.

XX. *ſect.* 20. As often as his Majeſty, &c. ſhall make any order concerning quarantine, and the prevention of infection, and notify the ſame by proclamation, or cauſe the ſame to be publiſhed in the London Gazette as aforeſaid; ſuch proclamation, or orders in council as aforeſaid, ſhall be publickly read upon the next Sunday on which divine ſervice ſhall be performed after the receipt of the ſame, and the firſt Sunday in every month afterwards (during the time ſuch orders ſhall continue in force) immediately after the prayers in all pariſh churches, and other places ſet apart for divine worſhip, within ſuch counties and places as ſhall be ſpecified for that purpoſe in ſuch proclamation or orders reſpectively.

General iſſue.

XXI. *ſect.* 21. If any ſuit ſhall be commenced againſt any perſon for any thing done in purſuance of this act, the defendants in ſuch ſuit may plead the general iſſue, and give this act and the ſpecial matter in evidence at any trial to be had thereupon, and that the ſame was done in purſuance of the ſaid act; and if it ſhall appear ſo to have been done, then the jury ſhall find for the defendants; and if the plaintiff ſhall be nonſuited or diſcontinue his action, after the defendants ſhall have appeared, or if judgment ſhall have been given upon any verdict or demurrer againſt the plaintiff, the defendants ſhall recover treble coſts, and have the like remedy for the ſame, as defendants have in other caſes by law.

Treble coſts.

No corruption of blood.

XXII. *ſect.* 22. Provided that no attainder of felony, by virtue of this act, ſhall extend to work any corruption, of blood, or forfeiture of any chattles, or hereditaments.

Commencement of this act.

XXIII. *ſect.* 23. This act, and the ſeveral clauſes and proviſions therein contained, ſhall commence and take effect from and after the firſt day of March, one thouſand ſeven hundred and fifty four.

Goods from the Levant.

XXIV. *Brit. Stat.* 26 *Geo.* 2. *cap.* 18. *ſect.* 12. No goods liable to retain the infection of the plague, and coming from the Levant, without a clean bill of health, ſhall be landed in any part of Great Britain or Ireland, &c. unleſs it ſhall appear to the ſatisfaction of his Majeſty, &c. or the privy council, that the ſaid goods have been ſufficiently opened and aired in the lazarets of Malta, Ancona, Venice, Meſſina, Leghorn, Genoa and Marſeilles, or one of them.

Quit-rents.

I. *Stat.* 14 & 15 *Car.* 2. *cap.* 2. Every adventurer and ſoldier, their heirs and aſſigns, ſettled in lands, &c. and every perſon reſtored unto, or repriſed for his eſtate, ſhall pay unto the King, his heirs and ſucceſſors yearly for ever, the rents following, *viz.* for every acre in the province of Linſter, three pence; for every acre in the province of Munſter, two pence farthing; and for every acre in the province of Conaught, one penny half-penny; and for every acre in the province of Ulſter, one penny; by the next ſtatute the lands in Ulſter ſhall pay two pence the acre, accounting as to the payment of the ſaid rent only, one hundred and ſixty perches to the acre, and ſixteen feet and a half to the perch. Rents payable to the King, &c.

(2) And all ſuch as receive ſatisfaction for their arrears out of the houſes and tenements in the ſeveral corporations in Ireland, one ſhilling ſix pence yearly out of every twenty ſhillings rent, ſo that the rent formerly reſerved on ſuch eſtates ſo to be reſtored, exceed not the rent hereby reſerved; but if the ſaid rent formerly reſerved, do exceed the rent hereby to be reſerved, the ſaid former rent only ſhall be paid, and the ſaid eſtates reſpectively ſhall be diſcharged from payment of the rents hereby reſerved. Rents out of houſes.

II. *Stat.* 17 & 18 *Car.* 2. *cap.* 2. *ſect.* 19. All lands by this or the former act veſted in his Majeſty, or reſtored by virtue of any decrees herein confirmed or ſettled, or mentioned to be diſpoſed, reſtored, confirmed, or ſettled, upon any perſons, bodies politic or corporate, by virtue of this or the former act, and not particularly by expreſs words excepted from quit-rents in the ſame clauſe, and the lands by this act appointed to be ſet out for augmentation of biſhopricks, for endowment of parochial churches with glebe, for the better ſupport of the provoſt and fellows of the college of Dublin, for the maintenance of the fort at Duncannon, and the benefit of the corporation at Bandonbridge, and all the lands enjoyed by tranſplanted perſons in the province of Conaught, or the county of Clare, and all other the lands ſeized, ſequeſtred, or ſet out upon account of the late rebellion or war, (the lands of the proteſtants of Ireland heretofore ſequeſtred, only excepted) ſhall be ſubject to ſuch quit-rents to be paid unto his Majeſty, as in the former act is directed; ſaving only that the lands in the province of Ulſter, which by the former act were charged with one penny the acre quit-rent, ſhall be charged from henceforth with two pence the acre quit-rent. Former quit-rents payable.

III. *ſect.* 20. It ſhall be lawful for the lord lieutenant or chief governors, and council, at any time during three years after the paſſing of this act, to make ſuch abatement and moderation of quit-rents as they ſhall think fit, and ſuch order of council as ſhall be made touching the abatement of quit-rents, and inrolled in the exchequer, ſhall be as effectual as if the ſame had been enacted by theſe preſents. Abatement of rents.

IV. *Stat.* 9 *Will.* 3. *cap.* 31. *ſect.* 1. The ſeveral acquittances given by the collectors or receivers authorized to collect and receive the quit-rent, crown-rent, compoſition-rent, and other rents, as alſo all acquittances that ſhall be given by any ſuch collector or receiver, during the time the ſaid collectors ſhall be ſo employed, ſhall be good againſt his Majeſty, his heirs and ſucceſſors; and ſhall be as effectual as an exchequer acquittance duly paſſed and entered in the ſeveral offices of the exchequer. Acquittances good.

V. *ſect.* 2. All collectors of the aforeſaid rents, ſhall upon payment of any part thereof, give to the perſon ſo paying the ſame a full receipt or acquittance for what he ſhall receive, in parchment under his hand; wherein he ſhall mention the ſum ſo by him received, and for what gales of rent, and for what land, and on what account the ſame is paid to him. Receipts to be given.

VI. *ſect.*

Fees to collectors.

VI. *ſect.* 3. The collectors may demand and receive for every acquittance they ſhall give for any of the ſaid rents for any ſum above five ſhillings, and not exceeding twenty ſhillings, ſix pence; and for every ſum above twenty ſhillings, and not exceeding five pounds, one ſhilling; and for every ſum above five pounds, and not exceeding fifteen pounds, one ſhilling and ſix pence; and for every ſum above fifteen pounds, two ſhillings; and in no caſe to receive any more for any one acquittance than two ſhillings.

One acquittance for ſeveral lands.

VII. *ſect.* 4. Where one perſon ſtands charged with the payment of ſeveral and diſtinct ſums in reſpect of ſeveral parcels of lands, or where the ſame is in charge in the name of other perſons not in poſſeſſion of ſuch lands, the ſeveral collectors ſhall on receipt of the ſaid rents, or any part thereof, give to the perſon in poſſeſſion and paying the ſame, one acquittance for what he ſhall pay, which acquittance ſhall diſtinctly mention as well the lands and tenements as the rent paid, and for what gale the ſame is paid and by whom, for which one acquittance the collectors ſhall receive no greater fee than as aforeſaid.

Books for entries of receipts.

VIII. *ſect.* 5. Every collector ſhall every year prepare a book, wherein they ſhall enter all the receipts or acquittances by them given for all the aforeſaid rents, under their hands, and in the preſence of the party paying the ſame, on which receipt the ſaid parties, or any other on his behalf, may ſet their names, for every which entry, the collectors may demand and receive two pence over and above the fees aforeſaid; which book the collectors ſhall yearly before the ſtating of their accounts, return under their hands, and on their oaths into the office of the auditor general, where the ſame ſhall be kept, not only as a charge on ſuch collectors, but alſo as a diſcharge to the ſubject for all ſums thereby appearing to be paid.

Quit-rents unalienable.

IX. *Eng. Stat.* 11 *Will.* 3. *cap.* 2. *ſect.* 25. The forfeited eſtates in Ireland ſhall after ſale thereof, be ſubject to ſuch crown-rents, quit-rents and chiefries, as the ſame were liable to on the 13th of February, 1688, all which quit-rents, crown-rents and chiefries, and all other the quit-rents, crown-rents and chiefries belonging to the crown of Ireland on the 13th day of February, 1688, ſhall for ever be for the ſupport of the government of Ireland, and ſhall be unalienable.

Grants and abatements for valuable conſideration.

X. *ſect.* 26. Nothing in this act ſhall make void any grant of any quit-rent, or other rents made in conſideration of any juſt debts releaſed to the crown to the full value of ſuch grant, or make void any grant for reduction or abatement of any quit-rent, where the ſame abatement hath been made in conſideration of the barrenneſs or coarſeneſs of any lands, out of which the ſame is iſſuing, or for the better improvement thereof.

Apportionment of quit-rents.

XI. *Eng. Stat.* 1 *Ann. ſtat.* 2. *cap.* 21. *ſect.* 1. The truſtees for forfeited eſtates, or any ſeven of them, with the conſent of three of the commiſſioners of the revenue in Ireland, may apportion any quit-rent, crown-rent, or compoſition-rent, payable to the crown, and charge the ſame in parcels upon the lands liable thereunto, ſo that every part ſold by itſelf, having regard to its quantity and value, may be liable to a certain proportion of the ſaid rents, which apportionment ſet down under the hands and ſeals of the ſaid truſtees, &c. and commiſſioners, &c. and inrolled in the exchequer in Ireland, ſhall be good in law and be reſerved to her Majeſty, &c. in the purchaſe deed, and the premiſſes ſold, diſcharged from the reſt of the ſaid rents, and ſhall be liable to the ſaid reſerved rent, in the ſame manner as it was before to the whole rent. And if the truſtees and commiſſioners ſhall not agree in the ſaid apportionments before the 24th of May, 1703, or ſhall ſooner diſagree in them, the

the chief governor of the ſaid kingdom may make the like apportionment, which ſhall be of the ſame force as if made as aforeſaid.

XII. *Stat.* 3 *Geo.* 3. *cap.* 22. *ſect.* 1. *Whereas ſeveral lands, rectory, abbey, priory, monaſtry lands, tythes, fairs, tenements, and hereditaments, chargeable with quit rents, crown-rents, compoſition-rents, or other chief rents as payable to his Majeſty, have been for many years paſſed returned by the collectors of his Majeſty's revenue, to whom ſuch rents have been given in charge as not to be found, and ſuch rents have been conſtantly carried on and returned in arrear, by means whereof ſuch arrears do now amount to conſiderable ſums of money, and will be great incumbrances on ſuch lands, &c. in caſe the ſame ſhould be hereafter diſcovered: and whereas it is apprehended from the great length of time, that ſuch arrears have been carried on, and the changes of names that have happened in ſeveral of the ſaid lands, &c. that the diſcovery of ſuch lands, &c. and the recovery of ſuch arrears, will become every day more difficult and expenſive, and that giving an encouragement to the preſent owners of ſuch lands, &c. to diſcover the ſame, ſo as that the growing rents payable to his Majeſty, his heirs and ſucceſſors, may be hereafter punctually paid, will increaſe his Majeſty's revenue:* it ſhall be lawful for every perſon, bodies politick and corporate, at any time before the 25th day of March, 1770, to prefer their petitions to his Majeſty's court of exchequer, thereby ſetting forth that all or ſome of the lands, rectory, abbey, priory, monaſtry lands, tythes, fairs, tenements, and hereditaments, whereof they are ſeized, are ſubject or liable to ſome certain quit-rent, crown-rent, compoſition-rent, or other chief rent, payable to his Majeſty, which hath not been paid by them, or thoſe under whom they reſpectively derive, for twenty years next immediately proceeding the 29th day of September, 1764, particularly deſcribing in ſuch petition the lands liable to the payment thereof, as well by their preſent as former names and denomination, and thereby ſubmitting to pay all ſuch annual quit-rent, crown-rent, compoſition-rent, or other chief rent, which ſhall become due after the ſaid 29th day of September, and praying to have ſuch lands diſcharged from all arrears of ſuch rent incurred, due before the ſaid 29th day of September, 1764, which petitions ſhall be engroſſed on parchment, and ſigned by the parties preferring the ſame (except in caſe of a minor or lunatick, and in ſuch caſe by the gaurdians or committees of ſuch minor, or lunatick) and ſhall be filed on record, in the ſecond remembrancer's office, and a copy of ſuch petition ſhall be read in open court, on ſome day during the term, or the ſettings after the term in which ſuch petition ſhall be preferred, or if preferred in the time of vacation, then on ſome day in the term next following, and thereupon an order ſhall be made by the ſaid court, that the auditor general, or his deputy, ſhall ſearch into the reſpective rent-rolls, books, and records in his office, and ſhall certify to the ſaid court, by a certain day to be appointed by the ſaid court, whether any ſuch rents as are mentioned in ſuch petitions, have been accounted for to his Majeſty or his predeceſſors, within the ſpace of twenty years next proceeding the ſaid 20th of September, 1764, a copy of which order ſhall be ſerved on the ſaid auditor general or his deputy, ten days at leaſt before the day appointed for his making ſuch certificate.

Chargeable with quit-rent.
Return by collectors.
Arrears.
Length of time.
Changes of names.
Encouragement to diſcover.
Petitions to the Exchequer.
Tenor of petitions.
Names of lands.
Submitting to payment.
Praying diſcharge.
Engroſſed on parchment.
Filed of record.
Read in open court.
Search by auditor.
Certificate, to the court.
Service of order.

XIII. *ſect.* 2. And the ſaid auditor general or his deputy, is hereby required to make ſuch ſearches, and to certify to the ſaid court of exchequer, whether it appears to him that ſuch rents have been paid or accounted for to his Majeſty, or his predeceſſors, within the ſpace of twenty years next before the 29th day of September, 1764, for which ſearch two ſhillings and ſix pence, and no more, and for which certificate ſix ſhillings and eight pence, and no more, and for entry of a diſcharge

Auditor to ſearch, and certify.
Fees for ſearch and certificate.
Diſcharge of arrears.

charge to ſuch arrears out of the rent rolls, three ſhillings and four pence, and no more, ſhall be paid to the ſaid auditor general.

Return of certificate.

XIV. *ſect.* 3. And if upon return of ſuch certificate, and upon examining into the truth of the allegations of ſuch petitions by the ſaid court of exchequer, in a ſummary way, it ſhall appear to the ſaid court that the allegations contained in ſuch petitions are true, or if it ſhall appear that no quit-rent, crown-rent, compoſition-rent, or other chief rent payable to his Majeſty, hath been paid for or out of ſuch lands, or hath been accounted for to the collectors of his Majeſty's revenue for the diſtrict wherein ſuch lands lie, within the term of twenty years next before the 29th day of September, 1764, in ſuch caſe the ſaid court of exchequer is required to make an order on ſuch petitions, that the ſaid lands, mentioned in ſuch petitions and the perſons who from time to time reſpectively held and enjoyed the ſame ſhall be abſolutely freed and diſcharged of and from all ſuch rents and arrears due or in arrear at any time before the ſaid 29th day of September, 1764, and ſhall order the ſaid auditor general to give in charge ſuch growing rents as the ſaid lands ſhall appear to be charged or chargeable with, which ſhall become due from and after the ſaid 29th day of September, 1764, to the collectors of the diſtricts where ſuch lands do lie, to the intent that the ſame may be duly collected for the future, and ſuch order ſhall be an effectual diſcharge againſt his Majeſty, as to ſuch arrears.

No quit rent, &c. paid.

Court of Exchequer.

Diſcharge of arrears.

Growing rents to be charged.

Collectors to make liſts.

XV. *ſect.* 4. The collectors of his Majeſty's revenue in their ſeveral and reſpective diſtricts before the next general aſſizes which ſhall happen next after the 1ſt day of March, 1765, for the reſpective counties in which their reſpective diſtricts lie, to make or cauſe to be made exact liſts of the names of all the lands, rectory, abbey, priory, monaſtry lands, tythes, fairs, tenements or hereditaments, ſituate in their reſpective diſtricts, chargeable with any quit-rent, crown-rent, compoſition-rent, or other chief rent payable to his Majeſty, and whereout no ſuch rent hath been paid for twenty years before the 29th day of September, 1764, together with the annual quit-rent, crown-rent, compoſition-rent, or other chief rent payable out of ſuch lands to his Majeſty, and alſo the amount of the arrears due for the ſaid lands reſpectively, at the time of making ſuch liſts, which ſaid liſts ſhall be publickly affixed on the ſeſſion-houſe doors of the reſpective counties wherein ſuch lands do lie, the firſt day of the ſaid aſſizes, and ſhall alſo be read by the clerk of the crown on the ſecond day of ſuch aſſizes, in open court, to the intent that all perſons within the ſaid county may have public notice of the ſame, and in like manner the ſaid collector ſhall continue to make the liſts, and the ſame ſhall in like manner be publiſhed on the ſeſſion-houſe doors of the ſaid reſpective counties, and read in open court the three next following aſſizes, which ſhall be held for the reſpective counties wherein their reſpective diſtricts are ſituate.

Names of lands &c.

No rent for 20 years paſt.

Amount of arrears due.

Fixed on the ſeſſion-houſe. Read at aſſizes.

Three following aſſizes.

Quo warranto.

Ancient grants of liberties.

I. *Eng. Stat.* quo warranto, 18 *Edw.* 1. *ſtat.* 2. *ſect.* 1. All which can verify by the country or otherwiſe, that they and their anceſtors or predeceſſors, have uſed any liberties before the time of King Richard, or in all his time, and have continued hitherto, ſo that they have not miſuſed ſuch liberties, ſhall in a *quo warranto* be adjourned unto a certain day before the juſtices, within the which they may go to the King with the record of the juſtices and return, and the King by letters patent ſhall confirm their eſtate, and they that cannot prove the ſeiſin of their anceſtors or predeceſſors in ſuch manner, ſhall be judged after the law.

II. *ſect.*

II. *ſect.* 2. All judgments that are to be given in pleas of *quo warranto* by the juſtices at Weſtminſter for the King, if the parties grieved will come again before the King, he of his grace ſhall give them ſuch remedy as before; alſo pleas of *quo warranto* ſhall be pleaded and determined in the circuit of the juſtices. Pleas of *quo warranto*.

III. *Eng. Stat.* quo warranto. 18 *Edw.* 1. *ſtat.* 3. All thoſe which claim to have quiet poſſeſſion of any franchiſe before the time of King Richard without interruption, and can ſhew the ſame by a lawful inqueſt, ſhall enjoy their poſſeſſion; and in caſe ſuch poſſeſſion be demanded for cauſe reaſonable, the King ſhall confirm it by title, and thoſe that have old charters of franchiſe, ſhall have the ſame charters adjudged according to the tenor of them. Poſſeſſion of franchiſes.

IV. *Eng. Stat.* quo warranto. 30 *Edw.* 1. *ſect.* 1. The prelates, earls, barons, and other, ſhall uſe their liberties after the form of the writ following. Writ to the ſheriff.

V. *ſect.* 2. *The King to the ſheriff greeting: whereas lately in our parliament at Weſtminſter, it was provided and proclaimed by us and our council, that the prelates, earls, barons and others of our realm, who claim to have divers liberties by charters of our progenitors Kings of England, for the examining and judging whereof we had prefixed a day in the ſame parliament, ſhould uſe thoſe liberties in ſuch manner that they ſhould increaſe nothing to themſelves by uſurpation or occupation, nor ſhould occupy ought upon us; we command you that you permit all thoſe of your county to uſe and enjoy their liberties which they have hitherto reaſonably uſed in form aforeſaid, until our next coming by the county aforeſaid, or until the next coming of our juſtices itinerant for all pleas in the county, or until we ſhall give other command therein, ſaving always our right when we will implead thereof; witneſs, &c.*

VI. *ſect.* 3. In the ſame form writs ſhall be directed to ſheriffs, &c. for every demandant, and the form ſhall be changed after the diverſity of the liberty in this wiſe. Proclamation to be made.

VII. *ſect.* 4. *The King to the ſheriff greeting: we command you, that through all your bailiwick*, viz. *as well in cities as in boroughs, and other market towns and elſewhere, you cauſe publickly to proclaim, that all they who claim to have any liberties by charters of our progenitors Kings of England, or in other manner, be before our juſtices at the firſt aſſiſe, to ſhew what kind of liberties they claim to have, and by what warrant; and that yourſelf be there perſonally with your bailiffs and miniſters, to certifie the juſtices upon theſe and other buſineſſes touching the ſame.*

VIII. *ſect.* 5. The clauſe of publickly proclaiming is put in the writ of common ſummons of the juſtices in eyre, and ſhall have a warning of forty days as the common ſummons hath. And if the party do not come in, the liberties ſhall be taken into the King's hands in name of diſtreſs by the ſheriff, ſo that they ſhall not uſe them until they come to anſwer before the juſtices; and when they come in, their liberties ſhall be replevied. Warning of forty days.

(2) And if they challenge that they are not bound to anſwer in the original writ, if it appear that they have uſurped any liberties, they ſhall be commanded to anſwer without writ. And if they will ſay that their anceſtors died ſeized, they ſhall be heard, and the truth ſhall be inquired. And if it appear that their anceſtors died ſeized, the King ſhall have a writ out of chancery in this form: *the King to the ſheriff greeting: ſummon by good ſummoners* ſuch a one, *that he be before us at* ſuch a place, *in our next coming in the county aforeſaid, or before our juſtices at the next aſſiſe when they ſhall come into thoſe parts, to ſhew by what warrant he holds the view of frankpledge in his manor of* N. Or thus: *by what warrant he holds the hundred of* S. *in* Inquiry of ſeizin

S. *in the county aforeſaid.* Or, *by what warrant he claims to have toll for him and his heirs through our whole realm, and have there this writ; witneſs, &c.* And they ſhall be adjourned unto ſhort days, and have reaſonable delays according to the diſcretion of the juſtices as in perſonal actions.

Writ of common ſummons.

(3) And the clauſe underwritten ſhall be put in a writ of common ſummons in the circuit of the juſtices aſſigned to common pleas, *viz. The King to the ſheriff greeting: we command you that you cauſe publickly to proclaim, that all who complain, or will complain, as well of our miniſters and other bailiffs whomſoever, as of the miniſters and bailiffs of any other whomſoever, and others, that they come before our juſtices at the firſt aſſiſe there to ſhew all their complaints, to receive competent amends thereof according to the law and cuſtom of our realm, and according to the ordinance thereupon by us made, and according to the tenor of the ſtatute, and according to the articles thereupon delivered to our ſame juſtices, as the aforeſaid juſtices ſhall do you to know on our part; witneſs ourſelf, &c.*

Rape.

Fine and impriſonment.

I. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 13. None ſhall raviſh nor take away by force, any damſel within age, neither by her own conſent nor without, nor any wife or damſel of full age, nor any other woman againſt her will; and if any do ſo, then at his ſuit that will ſue within forty days, the King ſhall do common right, and if none commence the ſuit within forty days, the King ſhall ſue; and ſuch as be found culpable, ſhall have two years impriſonment, and make fine at the King's pleaſure, and if they have not whereof, they ſhall be puniſhed by longer impriſonment, as the treſpaſs requireth.

Judgment of life and member.

II. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 34. If a man raviſh a woman married, lady, damſel or other, where ſhe did not conſent neither before nor after, he ſhall have judgment of life and of member; and where a man raviſheth a woman married, lady, damſel or other with force, although ſhe conſent afterward, he ſhall have ſuch judgment as before, if he be attainted, and if no man will ſue, the King ſhall have the ſuit. And for women carried away with the goods of their huſbands, the King ſhall have the ſuit for the goods taken away.

Loſs of dower.

(2) And in caſe the wife wilfully forſake her huſband and continue with the adulterer, ſhe ſhall be barred of her dower if ſhe be convict thereupon, except her huſband willingly and without coercion of the church reconcile her.

Diſability to inherit, &c.

III. *Eng. Stat.* 6 *Rich.* 2. *cap.* 6. Againſt offenders and raviſhers of ladies, and the daughters of noblemen and other women, when ſuch ladies, daughters, and other women be raviſhed, and after ſuch rape conſent to ſuch raviſhers, as well the raviſhers as they that be raviſhed ſhall be diſabled to have any heritage, dower, or joint feoffment, after the death of their huſbands and anceſtors, and the next of the blood to thoſe raviſhers, or of them that be raviſhed, to whom ſuch heritage, dower, or joint feoffment ought to revert, remain, or fall after the death of the raviſher or raviſhed, ſhall have title by the rape to enter upon the raviſher or raviſhed.

Suit againſt raviſhers.

(2) And the huſbands of ſuch women, or if they have no huſbands, then the fathers or other next of their blood ſhall have the ſuit againſt the raviſhers, and have them thereof convict of life and of members although the woman after ſuch rape do conſent, and the defendant ſhall not be received to wage battle, but the truth ſhall be tried by inquiſition of the country, ſaving to the King and other lords their eſcheates. *See Tit.* Clergy.

IV. *Stat.* 8 *Edw.* 4. *cap.* 1. Having conſideration that the people learned in this kingdom have conceived ſome doubt whether the ſtatute made in England 6 *Rich.* 2. *cap.* 6. ought to be of force in this land without a confirmation thereof in this land, it is enacted, that the ſaid act and all other ſtatutes made by authority of parliament within England, be adjudged in force from the ſixth day of March laſt. Confirmation of the act, 6 Ric. 2.

See Tit. **Women.**

Receipt.

I. *Eng. Stat.* 20 *Edw.* 1. *ſtat.* 3. If any before judgment in caſe of the ſtatute *Weſtm.* 2. *cap.* 3. *cui in vita*, cometh in and deſireth to be received, he ſhall find ſurety to ſatisfy the demandant of the value of iſſues of the lands, from the day that he is received, until final judgment be given upon the petition of the demandant, and if the demandant recover, the defender ſhall be grievouſly amerced if he have whereof, and if he have not, he ſhall be impriſoned at the King's pleaſure, and if he can prove his right, he ſhall go quit. Surety to demandants.

II. *Eng. Stat.* 13 *Rich.* 2. *cap.* 17. *ſect.* 1. If any tenant for life in dower, &c. be impleaded, and he in the reverſion come and prayeth to be received at the day that the tenant pleadeth to the action or before, he ſhall be received to plead in chief without taking delay by voucher, aid, prayer, nonage, or other delay, ſo that after ſuch receipt he ſhall have no delay by protection, eſſoign of the King's ſervice, common eſſoign, or any other delay, and days of grace ſhall be given by the diſcretion of the judges, without giving the common day in plea of land. Reverſioners to be received, to plead.

III. *ſect.* 2. Provided that they in the reverſion which pray to be received, ſhall find ſurety of the iſſues of the tenements demanded, for the time that the demandants be delayed, after the plea determined between the demandants and tenants, if the judgment paſs for the demandant, as well where the receipt is counterpleaded as where it is granted. Surety to be given.

Recognizances.

I. *Stat.* 34 *Hen* 8. *ſeſſ.* 1. *cap.* 2. *ſect.* 1. If any perſon ſhall be bounden by recognizance, or having a day by roll to appear in any court of ſeſſion, and at the day of appearance, they ſhall be attendant upon the lieutenant or other governor of this realm, in committing invaſion upon any diſobeyance in this realm, or for defence of any of the King's ſubjects, or aſſigned by the lieutenant or other governor, to invade any diſobeyſant, or to defend any of the King's ſubjects aforeſaid, by reaſon whereof ſuch perſons ſhall not keep their day of appearance, it ſhall be lawful unto the ſaid lieutenant or other governor to direct a warrant under his ſign or ſeal to the chancellor or keeper of the great ſeal, willing him to direct a writ under the King's ſeal to the judges of any of the King's courts or ſeſſions, where any ſuch perſons did not keep their days of appearance to diſcharge any ſuch forfeiture, the recognizance, record or roll, or any other thing notwithſtanding. Diſcharge from forfeitures.

II. *ſect.* 2. Nothing to be paid for the premiſſes by the party ſo to be diſcharged, but twelve pence to the clerk that ſhall make the warrant, twelve pence to the clerk of the crown of the chancery for making of the writ, twelve pence to the clerk of the court where the ſaid bond ſhall be diſcharged for the inrolling of the writ, and entering the parties diſcharge upon the bond. Fee to the clerk.

III. *ſect.* 3. Provided that in the next term or ſeſſions after the return of any ſuch perſons from ſuch ſervice, they ſhall appear before the judges in the court or ſeſſions where ſuch forfeiture ſhall be, and there preſent the writ for the diſcharge of Appearance after return.

the forfeiture, upon which writ, ſuch perſons ſhall be thereof diſcharged, and the judges ſhall take a new bond of the party.

Breach of the peace.

IV. *ſect.* 4. Provided that if any perſon ſhall be bound to keep the peace and break the ſame, ſuch perſons ſhall take no advantage by this act to be diſcharged of any ſuch forfeiture for the breaking of the peace.

Date of recognizances.

V. *Stat.* 7 *Will.* 3. *cap.* 12. *ſect.* 17. The day of the month and year of the inrolment of recognizances, ſhall be ſet down in the margent of the roll where the ſaid recognizances are inrolled; and no recognizances ſhall bind any lands, &c. in the hands of any purchaſer *bona fide*, and for valuable conſideration, but from the time of ſuch inrolment. *Eng. Stat.* 29 *Car.* 2. *cap.* 3. *ſect.* 18.

Books of recognizances.

VI. *Stat.* 6 *Geo.* 1. *cap.* 6. *ſect.* 7. All recognizances taken in his Majeſty's courts of King's-bench, common pleas, or exchequer, and the original book wherein they are taken, ſhall at the end of each term be delivered up to the prothonotaries of *the* King's bench or common pleas, or to the chief remembrancer of the exchequer by the reſpective judges in each court, to remain there until they ſhall be vacated as records in ſuch courts.

Records.

Records of proceſſes.

I. *Eng. Stat.* 9 *Edw.* 3. *ſtat.* 1. *cap.* 5. Juſtices of aſſiſe, gaol-delivery, and of oyer and terminer, ſhall ſend all their records and proceſſes, determined and put in execution, to the exchequer at Michaelmas every year; and the treaſurer and chamberlain, having ſight of the commiſſions of ſuch juſtices, ſhall receive records under their ſeals, and keep them in the treaſury; ſo always that the juſtices do firſt take out the eſtreates of the records and proceſs, to ſend them to the exchequer.

Raſing rolls and changing verdicts.

II. *Eng. Stat.* 8 *Rich.* 2. *cap.* 4. Of falſe entering of pleas, raſing of rolls, and changing of verdicts, if any judge or clerk be of ſuch default, ſo that by the ſame there enſueth diſheriſon of any parties, ſufficiently convict before the King and his council by the manner and form which to the King and his council ſhall ſeem reaſonable, and within two years after ſuch default made, if the party grieved be of full age, and if he be within age, then within two years after he ſhall come to his full age, he ſhall be puniſhed by fine and ranſome at the King's will, and ſatisfy the party; and as to the reſtitution of the inheritance, the party grieved ſhall ſue by writ or otherwiſe according to law.

Records of aſſiſes.

III. *Eng. Stat.* 11 *Hen.* 4. *cap.* 3. The juſtices aſſigned to take aſſiſes, ſhall cauſe to be delivered into the King's treaſury, all the records of aſſiſes of *novel diſſeiſin*, of *mortdanceſtor*, and of certifications, before them determined every ſecond year; and the records and proceſs of pleas real and perſonal, and of aſſiſes of *novel diſſeiſin* or *mortdanceſtor*, and certifications, and of other, whereof judgment is given and inrolled, ſhall in no wiſe be amended nor impaired by new entering of the clerks, or by the record or thing certified in commandment of any juſtice, in no term after ſuch judgment given and inrolled.

Stealing records.

IV. *Eng. Stat.* 8 *Hen.* 6. *cap.* 12. *ſect.* 3. If any record, writ, return, panel, proceſs or warrant of attorney in the chancery, exchequer, the one bench or the other, or in the treaſury, be willingly ſtolen, withdrawn or avoided, by any clerk or other perſon, becauſe whereof any judgment ſhall be reverſed, ſuch ſtealer, &c. their procurators, councellors, and abettors, thereof indicted and convict by confeſſion or by inqueſt of lawful men, whereof the one half ſhall be of the men of the ſame

courts

courts ſhall be adjudged felons; and the judges of the ſaid courts, of the one bench or of the other, have power to hear and determine ſuch defaults. *See the reſt of this act in Tit.* Amendment.

Recoveries.

I. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 4. *ſect.* 1. Where the huſband being impleaded giveth up the land demanded, and where the huſband loſeth land by default, in both caſes the woman demanding her dower, ſhall be heard; and if it be alledged againſt her, that her huſband loſt the land by judgment, and it be inquired by what judgment, and it be found that it was by default, whereunto the tenant muſt anſwer; then the tenant ſhall anſwer further, and ſhew that he had right in the land according to the form of the writ purchaſed againſt the huſband; and if he can ſhew that the huſband had no right in the lands, nor any other but he that holdeth them, the tenant ſhall go quit, and the wife ſhall recover nothing of her dower; which if he cannot ſhew, the wife ſhall recover her dower. Defaults of huſbands.

(2) And ſo in theſe caſes, and in other, viz. when the wife being endowed loſeth her dower by default, and tenants in free marriage by the law of England, or for term of life, or in fee tail, divers actions concur for ſuch tenants when they demand their land loſt by default; for when it is come to that, that ſuch tenants muſt be compelled to ſhew their right, and they cannot anſwer without them to whom the reverſion belongeth, therefore it is granted unto them to vouch to warranty as if they were tenants, if they have a warranty; and when the warrantor hath warranted, the plea ſhall paſs between him that is ſeized and the warrantor, according to the tenor of the writ that the tenant purchaſed before, and by which he recovered by default. And if the action of ſuch a tenant which is compelled to ſhew his right, be moved by a writ of right, tho' the great aſſiſe or battail cannot be joined by the words accuſtomed, yet it ſhall be joined by words convenient. Wives loſing their dower.

(3) And where ſometime a woman not having right to demand dower, the heir being within age, doth purchaſe a writ of dower againſt a guardian, and the guardian endoweth the woman by favour, or maketh default, or by colluſion defendeth the plea faintly, whereby the woman is awarded her dower; the heir, when he cometh to age, ſhall have an action to demand the ſeiſin of his anceſtor againſt ſuch woman, like as againſt any other deforceor; yet ſo that the woman ſhall have her exception ſaved againſt the demandant, to ſhew that ſhe had right to her dower; which if ſhe can ſhew, ſhe ſhall go quit, and retain her dower, and the heir ſhall be grievouſly amerced according to the diſcretion of the juſtices; and if not, the heir ſhall recover his demand. In like manner the woman ſhall be aided, if the heir or any other do implead her for her dower, or if ſhe loſe her dower by default, in which caſe the default ſhall not be ſo prejudicial to her, but that ſhe ſhall recover her dower, if ſhe have right thereto, and ſhe ſhall have this writ: Writ of dower againſt guardians.

II. *ſect.* 2. *Command* A. *that juſtly*, &c. *he render to* B. *who was the wife of* F. *ſo much land with the appurtenances in* C. *which ſhe claimeth to be her reaſonable dower, and which the aforeſaid* A. *to her deforceth*, &c. And if a man loſe his land by default, he may recover by another writ. For land in free marriage loſt by default, this writ ſhall be made: *Command* A. *that juſtly*, &c. *he render to* B. *the manor of* D. *with the appurtenances, which he claimeth to be his right and marriage, and which* A. *to him unjuſtly deforceth.* Likewiſe of land for term of life loſt by default, this writ ſhall be made; *Command* A. *that juſtly and without delay*, &c. *he render to* B. *the manor of* D. *with the appurtenances, which he claimeth to hold to* Forms of writs.

the

the term of his life, and which the aforeſaid A. *to him deforceth*, &c. Likewiſe, *which he claimeth to hold to him and the heirs of his body lawfully begotten, and which the aforeſaid* A. *to him deforceth*, &c.

Termors may falſify.

III. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 11. *ſect.* 2. All termors may falſify for *their* term recoveries in ſuch wiſe as a tenant of freehold may.

Leaſes good.

IV. *ſect.* 3. The termors notwithſtanding ſuch recovery, ſhall enjoy their terms according to their leaſes againſt all ſuch recoverers; and ſuch recoverers, their heirs and aſſigns, ſhall have like remedy againſt the termors, their executors and aſſigns, by avowry or action of debt, for the rents and ſervices reſerved, and alſo like actions for waſte done after the recoveries had, as the leſſors might.

Executions by *elegit*, &c.

V. *ſect.* 4. No ſtatute ſtaple, ſtatute merchant, nor execution by *elegit*, ſhall be avoided by any fained recovery, but all perſons having lands by execution ſhall have like remedy to falſify recoveries, as is provided for the leaſe for years. *Eng. Stat.* 21 *Hen* 8. *cap.* 15.

Recoverers may avow, &c.

VI. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 13. *ſect.* 2. Recoverers in recoveries, their heirs and aſſigns, may diſtrain for rents, ſervices, and cuſtoms, and make avowry, or juſtify, as thoſe againſt whom the recovery is and alſo have *quare impedit* for the advowſon, if any diſturbance be made. *Eng. Stat.* 7 *Hen.* 8. *cap.* 4. *See Tit.* **Avowry.**

Tenants for life.

VII. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 11. *ſect.* 2. Where perſons *are* ſeized of lands as tenant by the curteſy, tenants in tail after poſſibility of iſſue extinct, or otherwiſe for term of life, or of eſtates determinable upon life, all recoveries by agreement of parties, or by covin againſt any ſuch particular tenant, or againſt any other with voucher over of ſuch particular tenant, ſhall, as againſt ſuch perſons to whom any reverſion or remainder ſhall appertain, be void.

Good titles not avoided.

VIII. *ſect.* 3. This act ſhall not be prejudicial to any perſon that ſhall by good title recover lands by reaſon of any former right.

Perſons in remainder.

IX. *ſect.* 4. All recoveries of lands by aſſent of any perſon to whom any reverſion or remainder thereof ſhall appertain, ſo that the ſame aſſent appear of record in any court of the Queen, ſhall be in like force againſt ſuch perſons that ſhall aſſent as before this act. *Eng. Stat.* 14 *Eliz. cap.* 8.

Tenants to the *precipe*.

X. *Stat.* 8 *Geo.* 1. *cap.* 6. *ſect.* 12. Where leaſes for lives ſhall be made of any lands, &c. reſerving rent, it ſhall be lawful for all perſons to whom the reverſion or remainder on ſuch leaſes for lives ſhall belong, to grant ſuch eſtate in reverſion or remainder for life of ſuch perſons as they intend to make tenants to the *precipe*, and thereon a *precipe* may be brought againſt ſuch perſons whereon common recoveries may be ſuffered of the lands, &c. ſo leaſed, and ſuch recoveries ſhall bind and bar the tenants and vouchees in ſuch recoveries, and the perſons in reverſion and remainder according to their reſpective eſtates, in ſuch manner as if ſuch leaſes for lives had never been made.

No ſurrender of leaſes.

XI. *Stat.* 21 *Geo.* 2. *cap.* 11. *ſect.* 1. Every common recovery which heretofore hath been ſuffered, or which hereafter ſhall be ſuffered in his Majeſty's court of common-pleas, or in any other court having juriſdiction of the ſame, of any lands or hereditaments, the legal freehold eſtate of any part whereof at the time of ſuch recovery was or ſhall be veſted in any leſſees under particular reſerved rents, or any other perſons deriving under any of them, ſhall without ſurrenders of ſuch leaſes, or without the concurrence of, or any conveyance or aſſurance from ſuch leſſees, or other perſons claiming under ſuch leſſees in order to make a good tenant to the

writ

writ of entry, or other writs whereupon ſuch recovery hath been, or ſhall be ſuffered, ſhall be as valid as if ſuch leſſees or any other perſons deriving under them, had conveyed or joined in conveying a good eſtate of freehold to ſuch perſons as hath been or ſhall become tenant to ſuch writ of entry, or other writ, whereupon ſuch common recovery hath been or ſhall be ſuffered.

Tenants in tail. XII. *ſect.* 2. Nothing herein contained ſhall extend to make good any common recovery heretofore ſuffered, where the tenant in tail againſt whom ſuch recovery was had, or who was vouched in ſuch recovery, is ſince dead, as to any lands or hereditaments of which any perſon is now in poſſeſſion as heir of ſuch eſtate tail, or claiming under ſuch heir, or by virtue of any reverſion or remainder dependant thereon, or for the recovery of the poſſeſſion of which any ſuit now is depending, or ſhall be commenced by any ſuch heir, or perſon claiming under ſuch heir, or perſon intitled to ſuch reverſion or remainder, within the ſpace of one year from the 25th day of March 1748, and proſecuted with effect, and all ſuch ſuits ſo to be commenced, ſhall, in caſe of infants, be commenced by their fathers or guardians, or any other perſons on their behalf, and in caſe of feme coverts, by their huſbands or next friend, and in caſe of madmen, idiots or lunatics, by thoſe under whoſe care and cuſtody they ſhall be at the time that ſuch ſuits ſhall be commenced.

Tenants to the writs of entry. XIII. *ſect.* 3. Nothing in this act ſhall extend to make any recoveries valid or effectual in law, unleſs the perſons intitled to the firſt eſtate for life, or other greater eſtate, in caſe there be no ſuch eſtate for life, in reverſion or remainder, next after the expiration or determination of the eſtate or intereſt of ſuch leſſees, have conveyed or aſſured, or joined in conveying or aſſuring an eſtate for life at the leaſt, to ſuch perſons as have been or ſhall become tenants to the writs of entry or other writ, whereupon ſuch common recoveries have been, or ſhall be ſuffered.

Eſtates of leſſees. XIV. *ſect.* 4. Nothing in this act contained ſhall extend to prejudice the eſtates of ſuch leſſees, or any perſons claiming any eſtate or intereſt under ſuch leſſees.

Purchaſers for valuable conſideration. XV. *ſect.* 5. Where any perſons have purchaſed, or ſhall purchaſe for a valuable conſideration, any eſtates in lands whereof recoveries were or ſhall be neceſſary to be ſuffered to compleat the title, ſuch perſons and all claiming under them having been in poſſeſſion of the purchaſed eſtate from the time of ſuch purchaſe, may, after the end of twenty years from the time of ſuch purchaſe, produce in evidence the deeds, making a tenant to the writs of entry, or other writs for ſuffering common recoveries, and the deeds ſo produced the execution thereof being duly proved, ſhall in all courts of law and equity be deemed ſufficient evidence for ſuch purchaſers, and thoſe claiming under them, that ſuch recoveries were duly ſuffered according to the purport of ſuch deeds, in caſe no record can be found of ſuch recoveries, or the ſame ſhall appear not to be regularly entered upon record.

Acknowledgement of parties. XVI. *ſect.* 6. Provided that no deeds ſhall be evidence of any recovery hereafter to be ſuffered, unleſs ſuch deeds be acknowledged before one of the judges of the court of common-pleas, and inrolled in the ſaid court within ſix months after the execution of ſuch deeds.

Power to make deeds. XVII. *ſect* 7. Provided that the perſons making ſuch deeds, and declaring the uſes of common recoveries, had a ſufficient eſtate and power within the intent of this act, to make a tenant to ſuch writs as aforeſaid, and to ſuffer ſuch common recoveries.

Limitation of twenty years. XVIII. *ſect.* 8. Every common recovery already ſuffered, or hereafter to be ſuffered, ſhall, after the expiration of twenty years from the time of the ſuffering thereof, be deemed good if the perſons joining in ſuch recovery had a ſufficient

eſtate

eſtate and power to ſuffer the ſame, notwithſtanding the deeds making the tenant to ſuch writ ſhould not appear.

Deeds after judgment.

XIX. *ſect.* 9. Every recovery already ſuffered, or hereafter to be ſuffered, ſhall be deemed good, notwithſtanding the fine or deeds making the tenant to ſuch writ ſhould be levied or executed after the time of the judgment given in ſuch recovery, and the award of the writ of ſeiſin; provided the ſame appear to be levied or executed before the end of the term in which ſuch recovery was ſuffered, and the perſon joining in ſuch recovery had a ſufficient eſtate and power to ſuffer the ſame.

Suits to avoid recoveries.

XX. *ſect.* 10. Nothing in this act ſhall extend to make any common recovery heretofore ſuffered, valid, which has been already avoided by any lawful means, or for the avoiding whereof any ſuit either in law or equity is now depending, but every ſuch common recovery ſhall be of ſuch effect only as the ſame would have been if this act had never been made. *Brit. Stat.* 14 *Geo.* 2. *cap.* 20.

Regiſter.

Publick office eſtabliſhed.

I. *Stat.* 6 *Ann. cap.* 2. *ſect.* 1. One public office for regiſtring memorials of deeds and conveyances, wills and deviſes, ſhall be eſtabliſhed in the city of Dublin, to be executed by a fit perſon, or his ſufficient deputy, ſuch perſon to be appointed by the Queen, her heirs and ſucceſſors, and to continue in the ſaid office ſo long as he ſhall faithfully and honeſtly demean himſelf therein.

Vacancy in the office.

II. *ſect.* 2. Upon the death of any ſuch regiſter, and until another perſon be appointed in manner aforeſaid, the executors or adminiſtrators of the regiſter deceaſed, together with the ſureties for the ſaid regiſter, or their executors or adminiſtrators, ſhall appoint a proper perſon to execute the office of regiſter; for whoſe demeanor in the execution of the ſaid office, the ſecurity given for ſuch regiſter deceaſed ſhall be anſwerable.

Memorials of deeds.

III. *ſect.* 3. A memorial of all deeds and conveyances which after the twenty fifth day of March one thouſand ſeven hundred and eight, ſhall be executed, and of all wills and deviſes in writing where the deviſor or teſtatrix ſhall die, after the ſaid twenty fifth day of March one thouſand ſeven hundred and eight, whereby any lands or hereditaments may be any ways affected, may at the election of the parties concerned be regiſtred in ſuch manner as is herein after directed.

Priority of time.

IV. *ſect.* 4. Every ſuch deed or conveyance, a memorial *whereof* ſhall be regiſtred according to the directions in this act preſcribed, ſhall, after the ſaid twenty fifth day of March one thouſand ſeven hundred and eight, be deemed as good in law and equity, according to the priority of time of regiſtring ſuch memorial concerning the lands, &c. in ſuch a deed or conveyance mentioned, according to the intereſt of the perſons ſo conveying ſuch lands, &c. againſt every other deed, conveyance or diſpoſition of the lands, &c. or any part thereof compriſed in any ſuch memorial.

Deeds not regiſtered.

V. *ſect.* 5. Every deed or conveyance not regiſtred, which ſhall be executed after the twenty fifth day of March one thouſand ſeven hundred and eight, of any of the lands, &c. compriſed in ſuch a deed or conveyance; a memorial whereof ſhall be regiſtred in purſuance of this act, ſhall be adjudged as fraudulent and void, not only againſt ſuch a deed or conveyance regiſtred as aforeſaid, but likewiſe againſt all creditors by judgment, recognizance, ſtatute-merchant, or of the ſtaple, confeſſed, acknowledged or entered into after the twenty fifth day of March aforeſaid, as concerning any of the lands, &c. contained in ſuch memorial regiſtred as aforeſaid.

Memorials to be proved.

VI. *ſect.* 6. Every memorial ſo to be regiſtred, ſhall be put into writing in vellum or parchment, and directed to the regiſter of the ſaid office; and in caſe of deeds and

and conveyances ſhall be under the hand and ſeal of ſome or one of the grantors, or ſome or one of the grantees, or their guardians or truſtees atteſted by two witneſſes, one whereof to be one of the witneſſes to the execution of ſuch deed or conveyance, which witneſs ſhall by affidavit to be made before the ſaid regiſter or his deputy, who is required to adminiſter ſuch oath, prove the ſigning and ſealing of ſuch memorial, and the execution of the deed or conveyance mentioned in ſuch memorial, and the day and time of the delivery of ſuch memorial, to the regiſter or his deputy.

Memorials of wills.

(2) And in caſe of wills, the memorial ſhall be under the hand and ſeal of ſome or one of the deviſees or their guardians or truſtees, atteſted by two witneſſes, one whereof ſhall by affidavit to be made before the ſaid regiſter or his deputy, prove the ſigning and ſealing of ſuch memorial, which reſpective affidavit the ſaid regiſter or his deputy is directed to file and enter in a book to be kept for that purpoſe.

Purport of memorials.

VII. *ſect.* 7. Every memorial of any deed, conveyance or will, ſhall contain the day of the month and the year when ſuch deed, conveyance or will bears date, and was perfected, and the names and additions of all the parties to ſuch deed or conveyance, and of the deviſor or teſtatrix of ſuch will, and of all the witneſſes to ſuch deed, conveyance or will, and ſhall expreſs the lands, &c. contained in ſuch deed, conveyance or will, and the names of all the counties, baronies, cities, towns-corporate, pariſhes, townſhips, hamlets, villages, precincts within this kingdom, where any ſuch lands, &c. are lying that are conveyed, deviſed, or any way affected or charged, by any deed, conveyance or will, in ſuch manner as the ſame are expreſſed in ſuch deed, conveyance or will, or to the ſame effect.

Endorſement by the regiſter.

(2) And every ſuch deed, conveyance or will, or probate of the ſame, of which ſuch memorial is to be regiſtred, ſhall be produced to the ſaid regiſter or his deputy at the time of entring ſuch memorial, who ſhall indorſe a certificate on every ſuch deed, conveyance and will, or probate thereof, and therein mention the certain day and time on which ſuch memorial is ſo entered and regiſtred, expreſſing alſo in what book, page and number the ſame is entered, and the ſaid regiſter or his deputy, ſhall ſign the ſaid certificate when ſo indorſed, which certificate ſhall be allowed as evidence of ſuch regiſtries in all courts of record.

Regiſtry books.

(3) And every page of ſuch regiſter books, and every memorial that ſhall be entered therein ſhall be numbered, and the day of the month and the year when every ſuch memorial is regiſtered, ſhall be entered in the margins of the regiſter books, and of the ſaid memorial.

Alphabetical calendar.

(4) And every ſuch regiſter ſhall keep an alphabetical calendar of all counties, baronies, cities, towns corporate, pariſhes and townſhips within this realm, with reference to the number of every memorial that concerns the lands, &c. in every ſuch county, barony, city, town-corporate, pariſh or townſhip, reſpectively, and of the names of the parties mentioned in ſuch memorial.

Memorials to be filed.

(5) And ſuch regiſter or his deputy ſhall duly file every ſuch memorial in order of time, as the ſame ſhall be brought to the ſaid office, and enter the ſaid memorials in the ſame order that they ſhall reſpectively come to his hands.

Oath of office.

VIII. *ſect.* 8. Every ſuch regiſter, before he enter upon the execution of the ſaid office, ſhall be ſworn before ſome of the barons of *the* exchequer, who are hereby required to adminiſter ſuch oath in theſe words:

You ſhall truly and faithfully perform and execute the office and duty that is directed and required by act of parliament in regiſtring memorials of deeds, conveyances and wills within this kingdom, ſo long as you ſhall continue in the ſaid office.

So help you GOD.

Deputies to be ſworn.

(2) And as often as the ſaid regiſter ſhall appoint any deputy to execute the ſaid office, ſuch deputy ſhall before he enter on the execution thereof, take the ſaid oath before ſome of the barons of *the* exchequer, who are required to adminiſter the ſame.

Security to be given.

(3) And every ſuch regiſter at the time of his being ſworn into the ſaid office, ſhall alſo enter into a recognizance with two or more ſufficient ſureties to be approved of by ſome of the barons of *the* exchequer, of the penalty of twenty thouſand pounds unto her Majeſty, her heirs and ſucceſſors, conditioned for his faithful performance of his duty in the execution of his ſaid office, the ſame to be kept in the office of her Majeſty's remembrancer of the exchequer amongſt the records of the ſaid court.

Recognizance vacated.

IX. *ſect.* 9. When any regiſter ſhall die or ſurrender his office, and that within the ſpace of three years after ſuch death or ſurrender, no miſbehaviour appear to have been committed by ſuch regiſter in the execution of his ſaid office, at the end of the ſaid three years after his death or ſurrender, the ſaid recognizance ſo entered into by him, ſhall become void.

Times of attendance.

X. *ſect.* 10. Every ſuch regiſter or his deputy, ſhall give due attendance at his office every day in the week, except Sundays and holydays, between the hours of nine and twelve in the forenoon, and between the hours of three and ſix in the afternoon, for the diſpatch of buſineſs; and every regiſter or his deputy, as often as required, ſhall make ſearches concerning all memorials, and give certificates concerning the ſame under his hand, if required by any perſon.

Fees for entries.

XI. *ſect.* 11. Every ſuch regiſter ſhall be allowed for the entry of every memorial by this act directed, ſix pence, in caſe the ſame do not exceed one hundred words; but if ſuch memorial ſhall exceed one hundred words, then after the rate of three pence a hundred for all the words contained in ſuch memorial above the firſt one hundred words, and the like fees for the like number of words, contained in every certificate or copy given out of the ſaid office, and for every ſearch in the ſaid office, ſix pence.

Neglects of duty.

XII. *ſect.* 12. If any ſuch regiſter or his deputy, ſhall neglect to perform their duty according to the directions in this act mentioned, or commit any undue practice in the execution of the ſaid office, and be thereof convicted, ſuch regiſter ſhall forfeit his ſaid office, and pay treble damages, with the full coſts of ſuit to every perſon injured thereby, to be recovered by action, &c. in any of her Majeſty's courts of record at Dublin, wherein no eſloign or privilege of parliament, &c. ſhall be allowed.

Perſons acting during vacancy.

XIII. *ſect.* 13. The perſon to be nominated as aforeſaid, upon the death of any regiſter, to execute the ſaid office during the time the ſame ſhall be vacant, ſhall before he enter on the execution thereof, take the oath herein before appointed to be taken by ſuch regiſter or his deputy, before ſome of the barons of *the* exchequer, who are required to adminiſter ſuch oath; and if ſuch perſon ſhall be convicted of any neglect, miſdemeanor or fraudulent practice in the execution of the ſaid office during ſuch vacancy, he ſhall be liable to pay treble damages with full coſts of ſuit, to every perſon that ſhall be injured thereby, to be recovered as aforeſaid.

Leaſes for years.

XIV. *ſect.* 14. This act ſhall not extend to any leaſes for years not exceeding twenty one years, where the actual poſſeſſion goeth along with the ſaid leaſe.

Directions for regiſtering.

XV. *ſect.* 15. Where there are more writings than one for perfecting any conveyance or ſecurity, which do any ways affect or concern the ſame lands, &c. it ſhall be a ſufficient memorial and regiſter thereof, if all the ſaid lands, &c. and the counties, baronies, cities, towns-corporate, pariſhes, townſhips, hamlets, villages where the ſame lie, be only once mentioned in the memorial, regiſter and certificate of

of any of the writings made for the perfecting of ſuch conveyance or ſecurity, and that the dates of the reſt of the ſaid writings relating to the ſaid conveyance or ſecurity, with the names and additions of the parties and witneſſes, and the places of their abode, be only ſet down in the memorials, regiſters and certificates of the ſame, with a reference to the writing, whereof the memorial is ſo regiſtred, that expreſſes the parcels mentioned in all the ſaid deeds, and directions how to find the regiſtring the ſame.

Proof of memorials.

XVI. *ſect.* 16. A memorial of ſuch deeds, conveyances and wills as ſhall be made and executed, and publiſhed in any place not within ſixty miles of the city of Dublin, ſhall be entered by the aforeſaid regiſter or his deputy, in caſe an affidavit ſworn before one of the judges at the aſſiſes, or before the juſtices of the peace in open court at the general quarter-ſeſſions, or before a perſon commiſſioned purſuant to a late act of parliament for taking affidavits in the country, in the preſence of two juſtices of the peace of the ſame county, who are required to ſubſcribe their names as witneſſes to the taking of ſuch affidavit, be brought with the memorial to the ſaid regiſter or his deputy, wherein one of the witneſſes to the execution of ſuch deeds and conveyances, ſhall ſwear he or ſhe ſaw the ſame executed, and the memorial ſigned and ſealed as aboveſaid, or wherein one of the witneſſes to the memorial of any will, ſhall ſwear he or ſhe ſaw ſuch memorial ſigned and ſealed as aboveſaid; and the ſame ſhall be a ſufficient authority to the ſaid regiſter or his deputy, to give the party who brings ſuch memorial and affidavit to be entered as aforeſaid, a certificate of the regiſtring ſuch memorial, which certificate ſigned by the ſaid regiſter or his deputy, ſhall be allowed as evidence of the regiſtries of the ſame memorials in all courts of record.

Forging memorials or certificates.

XVII. *ſect.* 17. If any perſon ſhall forge or counterfeit any ſuch memorial or certificate as are herein beforementioned, and be thereof convicted, ſuch perſons ſhall be liable to ſuch penalties as by an act of parliament made in the twenty eighth year of Queen Elizabeth *againſt forging evidences*, are impoſed upon offenders therein mentioned; and if any perſon ſhall forſwear himſelf before the ſaid regiſter or his deputy in any of the caſes aforeſaid, and be thereof convicted, ſuch perſons ſhall be liable to the ſame penalties as if the ſame oath had been made in any of the courts of record at Dublin.

Proviſion in caſes of diſability.

XVIII. *ſect.* 18. In caſe the deviſee or perſons intereſted in the lands, &c. deviſed by any ſuch will as aforeſaid, by reaſon of the conteſting ſuch will or other inevitable difficulty without their wilful default, ſhall be diſabled to exhibit a memorial for the regiſtring thereof within the times herein before limited, the regiſtry of the memorial within the ſpace of ſix months after their attainment of ſuch will or probate thereof, or removal of the impediment whereby they are hindered to exhibit ſuch memorial, ſhall be a ſufficient regiſtry within the meaning of this act.

Reſidence for nine months.

XIX. *ſect.* 19. All perſons that ſhall be regiſters, and alſo all perſons in truſt for whom ſuch office ſhall be granted, ſhall be reſident in this kingdom at leaſt nine months in every year; and if ſuch regiſter or perſons in truſt for whom ſuch office ſhall be granted, ſhall abſent themſelves out of this kingdom for more than three months in any one year, except in caſe of ſickneſs requiring his going or ſtaying beyond the ſea for the recovery of his health, the ſaid office to be void. *Eng. Stat.* 2 *Ann. cap.* 4.

Deeds, &c. executed in Great-Britain.

XX. *Stat.* 8 *Ann. cap.* 10. *Sect.* 1. A memorial of all ſuch deeds and conveyances as have been executed ſince the twenty fifth day of March one thouſand ſeven hundred and eight, and that ſhall hereafter be executed in Great Britain, and of all wills and deviſes in writing, where the deviſor or teſtatrix hath dyed ſince the ſaid twenty fifth day of March one thouſand ſeven hundred and eight, or ſhall

hereafter die, and the deviſees in ſuch will reſiding in Great Britain, whereby any lands, &c. within Ireland may be affected, ſhall be regiſtred by the regiſter appointed by virtue of the former act 6 *Ann. cap.* 2. or his deputy, in caſe an affidavit ſworn before one of the judges of any of the courts at Weſtminſter, or a maſter in chancery, or before the juſtices of the peace in open court at any general quarter-ſeſſions in Great Britain, be brought with the ſaid memorial to the regiſter, in which affidavit one of the witneſſes to the execution of ſuch deeds and conveyances ſhall ſwear he or ſhe ſaw the ſame executed and the memorial ſigned and ſealed, or one of the witneſſes to the memorial of any will ſhall ſwear he or ſhe ſaw ſuch memorial ſigned and ſealed; and ſuch affidavit ſhall be a ſufficient authority to the ſaid regiſter to give the party that brings ſuch memorial and affidavit, a certificate on the deed, or on a ſeparate and diſtinct parchment, the deed not being produced, of the regiſtring ſuch memorial, which certificate ſigned by the ſaid regiſter or his deputy, ſhall be allowed as evidence of the regiſtries of the ſame memorials in all courts of record.

Pages, &c. to be numbered

XXI. *ſect.* 2. Every page of ſuch regiſter books, and every memorial that ſhall be entered therein, ſhall be numbered, and the day of the month, and the year and hour, or time of the day when every memorial is regiſtred, ſhall be entered in the margins of the ſaid regiſter books, and in the margins of the ſaid memorial.

Diſcharge of mortgages.

XXII. *ſect.* 3. In caſe of mortgages whereof memorials ſhall be entered in the ſaid regiſter-office purſuant to the aforeſaid act, if at any time afterwards a certificate ſhall be brought to the regiſter or his deputy, ſigned and ſealed by the reſpective mortgagees in ſuch mortgage, or their reſpective executors, adminiſtrators or aſſigns, and atteſted by two witneſſes, one of which witneſſes ſhall by affidavit to be made before the ſaid regiſter or his deputy, or perſons impowered by the ſaid former act, or by this act for taking affidavits, prove ſuch monies to be paid, and that he or ſhe ſaw ſuch certificate ſigned and ſealed by the mortgagees, his, her, or their reſpective executors, adminiſtrators or aſſigns, the ſaid regiſter or his deputy ſhall make an entry in the margin of the ſaid regiſtry-books againſt the regiſtry of the memorial of ſuch mortgage, that ſuch mortgage was diſcharged according to ſuch certificate, to which the ſame entry ſhall refer, and ſhall after file ſuch certificate and affidavit to remain upon record in the ſaid regiſter-office, for which entry the regiſter ſhall be allowed ſix pence.

Forging certificates.

XXIII. *ſect.* 4. If any perſon ſhall forge or counterfeit any ſuch certificate as is herein before directed, and be thereof convicted, ſuch perſons ſhall be liable to ſuch penalties as by an act of parliament made in the twenty eight year of Queen Elizabeth, *againſt forging evidences*, are impoſed upon offenders therein mentioned; and if any perſons ſhall forſwear him or herſelf before the ſaid regiſter or his deputy, or other perſons impowered by the ſaid former act, or this act for taking affidavits in any of the caſes aforeſaid, and be thereof convicted, ſuch perſons ſhall be liable to the ſame penalties as if the ſame oath had been made in any of the courts of record in Dublin.

Publick acts.

XXIV. *ſect.* 5. The ſaid former act, and this act, ſhall be allowed in all courts as public acts, and all judges and other perſons therein concerned, are required as ſuch to take notice thereof without ſpecial pleading.

Death of grantees, &c.

XXV. *Stat.* 8 *Geo.* 1. *cap.* 15. *ſect.* 1. Where grantees in deeds or conveyances executed ſince the twenty fifth day of March one thouſand ſeven hundred and eight, or that ſhall hereafter be executed, or deviſees by any wills as well in caſes where the teſtator hath died ſince the ſaid twenty fifth day of March, as where the

teſtator

teſtator ſhall happen to die hereafter, whereby any lands, &c. may be affected, have happened or ſhall happen to die before their having executed a memorial of ſuch deeds, conveyances or wills, it ſhall be lawful for the heirs, executors, adminiſtrators or aſſigns of ſuch grantees or deviſees, or for ſome, or one of them, to ſign and ſeal a memorial of ſuch deeds, conveyances or wills, and the ſame ſhall be as effectual for regiſtering of ſuch deeds, wills and memorials, as if ſuch memorial had been ſigned and ſealed by ſome or one of the immediate grantees or deviſees named in ſuch deeds or wills, and in all memorials hereafter to be ſigned and ſealed, the place of abode of the ſubſcribing witneſſes to ſuch memorial, who is not a ſubſcribing witneſs to ſuch deeds or wills, ſhall be inſerted in the memorial.

Negative certificates.

XXVI. *ſect.* 2. When any perſon ſhall come to the ſaid regiſter-office, and require any negative certificate to be given, they ſhall deliver unto, and lodge with the ſaid regiſter or his deputy, a note in writing under their hands, and mentioning their reſpective places of abode, to the following effect, viz.

I (or we) deſire to know what memorial or memorials are entered in your office of any deeds or conveyances made to any, and what perſon or perſons, or of any and what wills made by of or concerning any, and what manors, lands, tenements or hereditaments, ſince the day of in the year of our Lord

Form of certificate.

(2) And upon delivery of ſuch note the ſaid regiſter or his deputy ſhall file the ſaid note, and is required as ſoon as conveniently may be, to give to ſuch perſons requiring the ſame, negative certificates to the effect following, viz.

Upon diligent ſearch made in the regiſter-office from the day of in the year of our Lord I do not find any memorial of any deed or conveyance made by to any perſon or perſons of any manors, lands, tenements or hereditaments whatſoever, entered in the ſaid office before the date hereof, except the memorials hereinafter mentioned, viz. **Witneſs** *my hand this day of in the year of our Lord*

Atteſtation by witneſſes.

(3) Which certificate ſhall be atteſted by two credible witneſſes, of which the perſon, or one of the perſons who bring ſuch note, ſhall be one, and if ſuch regiſter or his deputy ſhall be guilty of any fraud, colluſion or wilful neglect in making out ſuch certificates, whereby any perſon ſhall be damnified, ſuch perſon, his heirs, executors or adminiſtrators ſhall recover his damages againſt ſuch officer or his deputy with full coſts of ſuit.

Proof of the diſcharge of mortgages.

XXVII. *ſect.* 3. In caſe of mortgages where memorials have already been regiſtred, or hereafter ſhall be regiſtred in the ſaid regiſter office, and when the payment of the money cannot be proved as in the act 8 *Ann. cap.* 10. is directed, if afterwards certificates ſhall be brought to the ſaid regiſter or his deputy, ſigned and ſealed by the reſpective mortgagees in ſuch mortgages, or their executors, adminiſtrators or aſſigns reſpectively, and atteſted by three credible witneſſes to be named in ſuch certificate, with the places of their abodes and occupations, importing that the money due by ſuch mortgages and the intereſt thereof has been duly paid to the mortgagees, or their executors, adminiſtrators or aſſigns reſpectively, or to ſome perſons by their order, and ſuch mortgagees or their executors, adminiſtrators or aſſigns, making affidavit in writing at the foot or on the back of ſuch certificate before the ſaid regiſter or his deputy, or before ſome of the perſons impowered by the acts 6 *Ann. cap.* 2. and 8 *Ann. cap.* 10. or either of them, that they do not know of any other perſon concerned in intereſt in ſuch mortgages, and one of the

the witneſſes to ſuch certificate by affidavit to be made by him before the ſaid regiſter or his deputy, or before ſome of the perſons impowered by the ſaid acts, or either of them, proving, that he or ſhe ſaw ſuch certificate duly ſigned and ſealed by the ſaid mortgagees, or their reſpective heirs, executors, adminiſtrators or aſſigns, and ſaw ſuch affidavit ſworn by ſuch mortgagees, or their executors, adminiſtrators or aſſigns, and upon the mortgagor or his heirs, executors, adminiſtrators or aſſigns, or their attorney or agent, producing to the ſaid regiſter or his deputy, the original mortgage ſo regiſtred, cancelled if the ſame be extant, and if the ſame be loſt or accidentally deſtroyed, then upon ſuch morgagor, his heirs, executors, adminiſtrators or aſſigns, leaving with the ſaid regiſter or his deputy another certificate ſigned and ſealed by the mortgagee, his heirs, executors, adminiſtrators or aſſigns, that the ſaid mortgage is loſt or accidentally deſtroyed; which certificate to be atteſted by three credible witneſſes at leaſt, to be named in ſuch certificate, with the places of their abodes and occupations, and one of the witneſſes to ſuch certificate by affidavit to be made as aforeſaid, proving that he ſaw ſuch mortgagee, or their heirs, executors, adminiſtrators or aſſigns, duly ſign and ſeal ſuch certificate, for each of which affidavits ſo made before the ſaid regiſter or his deputy, the ſum of ſix pence ſhall be taken, in every ſuch caſe the ſaid regiſter or his deputy is required to make an entry on the regiſtry books againſt the regiſtry of the memorial of ſuch mortgage, as alſo at the foot, or on the back of the memorial of ſuch mortgage, that ſuch mortgage was ſatisfied and diſcharged according to ſuch certificate.

Forging certificates.

XXVIII. *ſect.* 4. If any perſon ſhall forge or counterfeit any ſuch certificate as is herein before directed, and ſhall be thereof convicted, ſuch perſons ſhall be liable to ſuch penalties as by an act made in the twenty eighth year of Queen Elizabeth, *an act againſt forging evidences*, &c. are impoſed upon offenders therein mentioned, for forging of any falſe deed or writing ſealed, whereby any eſtate of freehold or inheritance may be moleſted or defeated.

Perjury before the regiſter.

(2) And if any perſon ſhall forſwear him or herſelf before the ſaid regiſter or his deputy, or other perſon impowered by the former acts or either of them, or this act for taking affidavits in any of the caſes aforeſaid, and be thereof convicted, ſuch perſons ſhall be liable to the ſame penalties as if the ſame oath had been voluntarily and corruptly made in a cauſe depending in any of the courts of record in Dublin, in a matter material in ſuch cauſe.

Publick act.

XXIX. *ſect.* 5. This act ſhall be allowed in all courts as a public act, and all judges and other perſons therein concerned, are required to take notice thereof as ſuch without ſpecial pleading.

Deeds by tradeſmen or ſhopkeepers.

XXX. *Stat.* 5 *Geo.* 2. *cap.* 4. *ſect.* 12. After the firſt day of May, 1732, no articles, deed, or other ſecurity, to be entered into, or perfected by any tradeſman or ſhop-keeper, whereby any part of the goods or effects in the hands of any perſon, who entered into or executed the ſame, after the time of his death, may be liable to or chargeable with the payment of any ſums of money to or in truſt for, or for the uſe of the widow or children of ſuch perſon, ſhall bar any creditors of ſuch ſhopkeeper or tradeſman from recovering their debts, out of the goods or aſſets of ſuch ſhopkeeper or tradeſman after his death, but all ſuch articles or ſecurity ſhall be void as to creditors, unleſs the ſame or a memorial thereof be entered and regiſtered in the regiſtry office appointed for regiſtering deeds, wills, and conveyances purſuant to acts of parliament in that caſe provided, and in ſuch manner as memorials of deeds, wills, and conveyances, are by the ſaid acts or either of them, directed to be regiſtered within the ſpace of four months after entering into or perfecting ſuch articles or ſecurity by ſuch ſhopkeeper or tradeſman.

Rents.

I. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 5. *ſect.* 1. The executors or adminiſtrators of tenants in fee-ſimple, tenants in fee-tail and tenants for term of lives, of rents ſervices, rents charges, rents ſecks and fee-farms, unto whom any rent or fee-farm ſhall be due at the time of his death, ſhall have an action of debt for all ſuch arrearages againſt the tenants that ought to have paid the ſaid rent or fee-farm in the life of their teſtator, or againſt the executors and adminiſtrators of the ſaid tenants. Action of debt.

(2) And it ſhall be lawful to every ſuch executor and adminiſtrator of ſuch perſons unto whom ſuch rent or fee-farm ſhall be due at the time of his death, to diſtrain for the arrearages upon the lands, &c. which were charged with the payment of ſuch rents or fee farms ſo long as the ſaid lands, &c. continue in the ſeiſin or poſſeſſion of the ſaid tenant in demeſne, who ought to have paid the ſaid rent or fee-farm, or in the ſeiſin or poſſeſſion of any other perſons claiming the ſaid lands, &c. only from the ſame tenant, by purchaſe, gift, or deſcent, in like manner as their teſtator might have done in his life time. Diſtreſs for arrearages.

II. *ſect.* 2. If any man which ſhall have in the right of his wife any eſtate in fee-ſimple, fee-tail, or for term of life, in any rents or fee-farms, and the rents or fee-farms ſhall be due in the wife's life, the ſaid huſband after the death of his ſaid wife, his executors and adminiſtrators ſhall have an action of debt for the ſaid arrearages againſt his tenant of the demeſne that ought to have paid the ſame, his executors or adminiſtrators; and alſo the huſband after the death of his wife may diſtrain for the ſaid arrearages, as he might have done if his wife had been living. Huſband after the wife's death.

III. *ſect.* 3. If any perſons which ſhall have any rents or fee-farms for term of lives of any other perſons, and the ſaid rent or fee-farm ſhall be due and unpaid in the life of ſuch perſons, for whoſe lives the eſtate of the ſaid rent or fee-farm did continue, and after the ſaid perſons do die, he unto whom the ſaid rent or farm was due, his executors and adminiſtrators, ſhall have an action of debt againſt the tenant in demeſne that ought to have paid the ſame when it firſt was due, his executors and adminiſtrators, and alſo diſtrain for the arrearages upon ſuch lands, out of the which the ſaid rents or fee-farms were payable, as he might have done if ſuch perſons by whoſe death the aforeſaid eſtate in the ſaid rents and fee-farms was determined had been in full life. *Eng. Stat.* 32 *Hen.* 8. *cap.* 37. Tenants for lives.

IV. *Stat.* 9 *Ann. cap.* 8. *ſect.* 1. No goods or chattels upon any lands or tenements leaſed for lives, years at will, or otherwiſe, ſhall be liable to be taken by virtue of any execution or foreign attachment, *juſticies* or *diſtringas*, unleſs the party at whoſe ſuit the ſaid execution, &c. iſſued out, before the removal of ſuch goods off the premiſſes, pays to the landlord or his bailiff, all money due for rent for the ſaid premiſſes at the time of the taking ſuch goods or chattels by virtue of ſuch execution, &c. provided the ſaid arrears do not amount to more than one year's rent; and in caſe the arrears ſhall exceed one year's rent, the party at whoſe ſuit ſuch execution, &c. is ſued out, paying the ſaid landlord or his bailiff one year's rent, may proceed to execute his judgment, &c. as he might have done before the making of this act, and the ſheriff or other officer is required to levy and pay to the plaintiffs the monies ſo paid for rent. Executions or foreign attachments.

V. *ſect.* 2. Provided, that ſuch landlord or his agent do make and produce an affidavit in writing, if thereto required, by the plaintiff in ſuch action or execution, or his agent, that ſuch arrear of rent is really and *bona fide* due to ſuch landlord, which oath the ſheriff or ſub-ſheriff, or any juſtice of peace or other magiſtrate are impowered to adminiſter. Affidavit of rent due.

VI. *ſect.* 3. In caſe any leſſee or their aſſignees of any meſſuage, lands, or tenements, upon the demiſe whereof any rents ſhall be reſerved, ſhall fraudulently or Removing goods.

clandeſtinely

clandeſtinely carry off or from ſuch premiſſes his goods with intent to prevent the landlord from diſtraining the ſame, it ſhall be lawful for ſuch landlord or any perſons by him impowered, within five days next enſuing ſuch carrying off ſuch goods, to ſeize ſuch goods wherever the ſame ſhall be found, as a diſtreſs for the ſaid arrrear of rent, and the ſame to diſpoſe of as if the goods had been diſtrained upon ſuch demiſed premiſſes.

Sale for valuable conſideration.

VII. *ſect.* 4. Nothing in this act ſhall extend to impower ſuch landlord to ſeize any goods in any place but on the demiſed premiſſes as a diſtreſs for arrears of rent, which ſhall be ſold *bona fide*, and for a valuable conſideration before ſuch ſeizure made.

Leaſes for life.

VIII. *ſect.* 5. It ſhall be lawful for perſons having rent due upon any leaſe for life, to bring an action of debt for ſuch arrears as they might have done in caſe ſuch rent were due upon a leaſe for years.

Sale of diſtreſſes.

IX. *ſect.* 6. All diſtreſſes hereby impowered to be made, ſhall be liable to ſuch ſales and in ſuch manner, and the money ariſing by ſuch ſales, to be diſtributed in like manner as diſtreſſes for rent.

Leaſes determined.

X. *ſect.* 7. It ſhall be lawful for perſons having rent due upon any leaſe for life or for years, or at will ended or determined, to diſtrain for ſuch arrears after the determination of the leaſes, in the ſame manner as they might have done if ſuch leaſes had not been determined.

Six months.

XI. *ſect.* 8. Provided, that ſuch diſtreſs be made within ſix calendar months after the determination of ſuch leaſe, and during the continuance of ſuch landlord's intereſt, and during the poſſeſſion of the tenant, or thoſe claiming under him, from whom ſuch arrears became due.

Debts to the crown.

XII. *ſect.* 9. Nothing in this act ſhall prejudice her Majeſty in the levying any debts or forfeitures. *Brit. Stat.* 8 *Ann. cap.* 14.

Holding over.

XIII. *Stat.* 11 *Ann. cap.* 2. *ſect.* 1. In caſe any tenants for any term for lives or years, or other perſons, who ſhall come into poſſeſſion of any lands, &c. under, or by colluſion with ſuch tenants, ſhall wilfully hold over after the determination of ſuch terms, and after demand made and notice in writing given for delivering the poſſeſſion thereof by their landlords or their agents thereunto lawfully authorized, ſuch perſons ſo holding over, ſhall for the time they ſhall ſo hold over or keep poſſeſſion of the ſaid lands, &c. pay to the landlords, their heirs, executors, adminiſtrators, or aſſigns, or to ſuch perſons to whom the immediate reverſion of ſuch lands expectant on the determination of ſuch leaſe ſhall reſpectively belong, double the yearly value of the lands, &c. ſo detained, for ſo long time as the ſame are detained, to be recovered in any of her Majeſty's courts of record, by action of debt or treſpaſs, whereunto the defendants ſhall be obliged to give ſpecial bail; againſt the recovering of which penalty there ſhall be no relief in equity.

Double the yearly value.

Summons in ejectment.

XIV. *ſect.* 2. In all caſes between landlord and tenant, as often as more than one half year's rent ſhall be in arrear, and the landlord hath right by law to re-enter for the non-payment thereof, ſuch landlord may without any formal demand or re-entry ſerve a ſummons in ejectment for the recovery of the demiſed premiſſes, which ſummons in ejectment ſhall ſtand inſtead of a demand and re-entry.

Recovery on judgment.

(2) And in caſe of judgment againſt the caſual ejector or nonſuit for not confeſſing leaſe, entry, and ouſter, it ſhall be made appear to the court by affidavit, or be proved upon the trial in caſe the defendant appears, that more than half a year's rent was due before the ſaid ſummons was ſerved, *and that no ſufficient diſtreſs was to be found on the demiſed premiſſes countervailing the arrears then due* *, and that the leſſors

* *This clauſe is altered by* Stat. 4 Geo. 1. cap. 5. *See* Par. XXI.

leſſors in ejectment had power to re-enter, the leſſors in ejectment ſhall recover judgment and execution, as if the rent in arrear had been legally demanded, and a re-entry made.

(3) And in caſe the leſſees or their aſſignees, or other perſons deriving under the ſaid leaſes, ſhall ſuffer judgment to be had on ſuch ejectment and execution to be executed thereon without paying the rent and arrear with full coſts, and without filing any bill for relief in equity within ſix calendar months after ſuch execution, the ſaid leſſees or their aſſignees, and all other perſons deriving under the ſaid leaſe, ſhall be barred and foreclоſed from all relief, other than by writ of error for reverſal of ſuch judgment, in caſe the ſame ſhall be erroneous, and the leſſor ſhall from thenceforth hold the ſaid demiſed premiſſes diſcharged from ſuch leaſe. Leſſees barred in ſix months.

(4) And if on ſuch ejectment verdict ſhall paſs for the defendants, or the plaintiffs ſhall be nonſuited therein, except for the defendants not confeſſing leaſe, entry and ouſter, ſuch defendants ſhall have their full coſts. Coſts to defendants.

XV. *ſect.* 3. Nothing herein contained ſhall extend to bar the right of any mortgagee of ſuch leaſe, who ſhall not be in poſſeſſion. Mortgagees of leaſes.

XVI. *ſect.* 4. In caſe the ſaid leſſees, their aſſignees or other perſons claiming any intereſt in law or equity in the ſaid leaſe, ſhall within the time aforeſaid, file bills for relief in any court of equity, ſuch perſons ſhall not have or continue any injunction againſt the proceedings at law on ſuch ejectment, unleſs they ſhall within forty days after a full anſwer ſhall be filed by the leſſors of the plaintiff in ſuch ejectment, bring into court and lodge with the proper officer ſuch ſums of money as the leſſors of the plaintiff in the ſaid ejectment ſhall in their anſwer ſwear to be due over and above all juſt allowances, and alſo the coſts taxed in the ſaid ſuit, there to remain till the hearing of the cauſe, or to be paid out to the landlord on good ſecurity ſubject to the decree of the court. Bills in equity.

(2) And in caſe ſuch bills ſhall be filed within the time aforeſaid, and after execution is executed, the leſſors of the plaintiff ſhall be accountable only for ſo much as they ſhall really and *bona fide*, without fraud or wilful neglect, make of the demiſed premiſſes from the time of their entering into the actual poſſeſſion thereof, and if what ſhall be ſo made by the leſſors of the plaintiff happen to be leſs than the rent reſerved on the ſaid leaſe, then the ſaid leſſees or their aſſignees, before they ſhall be reſtored to their poſſeſſions, ſhall pay ſuch landlords what the money ſo by them made fell ſhort of the reſerved rent, for the time ſuch leſſors of the plaintiff or landlords held the ſaid lands. Account of profits.

XVII. *ſect.* 5. Provided, that if the tenants or their aſſignees ſhall before the trial in ſuch ejectment pay or tender the landlord, his executors or adminiſtrators, or their agent or attorney in that cauſe, all the rent and arrears together with the coſts, all further proceedings on the ſaid ejectment ſhall ceaſe. Tender of rent and coſts.

(2) And if ſuch leſſees or their executors, adminiſtrators or aſſigns, ſhall upon ſuch bill filed as aforeſaid be relieved in equity, they ſhall hold and enjoy the demiſed lands according to the leaſe thereof made without any new leaſe. Leſſees relieved.

XVIII. *ſect.* 6. All perſons who ſhall take any aſſignment of the reſidue of any term for years or lives, their executors or adminiſtrators, ſhall be liable to all the covenants whereunto the leſſees, their executors or adminiſtrators were liable by virtue of the ſaid leaſes. Aſſignees of terms.

XIX. *ſect.* 7. All perſons, bodies politic and corporate, ſhall have the like remedy by diſtreſs, and by impounding and ſelling the ſame in caſes of rent-ſeck, rents of aſſize and chief rents, which have been paid for the ſpace of three years within the ſpace of twenty years before the firſt day of this ſeſſion of parliament, or ſhall be hereafter created as in caſe of rent charges. Bodies politic and corporate.

Breach of conditions.

XX. *ſect.* 8. Provided that no proceedings by virtue of this act for breach of any condition, ſhall prejudice the right of any infant, *feme covert*, perſon being *non compos mentis*, or being out of her Majeſty's dominion. *See Tit.* Diſtreſs.

Summons in ejectment.

XXI. *Stat.* 4 *Geo.* 1. *cap.* 5. *ſect.* 3. As often as it ſhall happen that more than one year's rent ſhall be due to any landlord, though there be diſtreſs ſufficient on the land to anſwer the ſaid rent in arrear, ſuch landlord may ſerve a ſummons in ejectment for recovery of the demiſed premiſſes, and in caſe of judgment againſt the caſual ejector, or nonſuit for not confeſſing leaſe, entry, and ouſter, if it ſhall appear to the court by the affidavit of ſuch landlord or his agent or receiver, or ſhall appear on the trial, in caſe the defendant appears, that more than one year's rent was due before the ſaid ſummons was ſerved, ſuch landlord or his leſſee in ejectment, ſhall recover judgment and have execution thereon, and the jury that ſhall try ſuch cauſe, in caſe it ſhall be before a jury, and if not, the judge before whom ſuch judgment ſhall be given, ſhall aſcertain the ſum due and in arrear.

Leſſees barred.

(2) And in caſe the leſſees or their aſſigns, or other perſons deriving under the ſaid leaſe, ſhall ſuffer judgment to be had on ſuch ejectment, and execution to be executed thereon, without paying on demand the rent ſo aſcertained to be in arrear, with full coſts, which the officer is impowered to tax, or depoſiting the ſame in a court of equity on filing a bill within ſix months after execution executed, the leſſees or their aſſignees, and all other perſons deriving under the ſaid leaſe, ſhall be barred and foreclоſed from all relief or remedy in law or equity, other than by writ of error, for reverſal of ſuch judgment in caſe the ſame ſhall be erroneous, and the landlord ſhall from thenceforth hold the ſaid demiſed premiſſes diſcharged from ſuch leaſe.

Bills in equity.

XXII. *ſect.* 4. Provided, that where any bills ſhall be filed in equity on the plaintiffs depoſiting the rent ſo proved in arrear with the coſts aforeſaid, the proceedings thereon ſhall be in the ſame manner, and ſuch relief given, as by the act 11 *Ann. cap.* 2. is directed.

Coſts to defendants.

(2) And if on ſuch ejectment, verdict ſhall paſs for the defendants, or the plaintiffs ſhall be nonſuited therein, except for the defendant's not confeſſing leaſe, entry, and ouſter, ſuch defendants ſhall have their full coſts.

Saving to mortgagees.

XXIII. *ſect.* 5. Nothing herein contained ſhall extend to bar the right of any mortgagee of ſuch leaſe, or any part thereof who ſhall not be in poſſeſſion.

Infants, *feme coverts*, &c.

XXIV. *ſect.* 6. This act ſhall not extend to defeat the right of infants, *feme covert*, or perſons of *non ſane* memory. *See Tit.* Diſtreſs.

Notice on ſummons.

XXV. *Stat.* 8 *Geo.* 1. *cap.* 2. *ſect.* 1. As often as one whole year's rent or more ſhall be due to any landlord, ſuch landlord may bring an ejectment for the recovery of the demiſed premiſſes, and upon ſervice of the ſummons in the ſaid ejectment, notice in writing ſhall be given to the perſon on whom ſuch ſummons ſhall be ſerved, that ſuch ejectment is brought on account of the non-payment of rent.

Proof of leaſe and rent due.

(2) And if any perſon ſhall after affidavit made of ſuch ſervice, take defence in ſuch ejectment, and ſhall appear on the trial and confeſs leaſe, entry, and ouſter, and the plaintiff ſhall then make due proof of the perfection of the counterpart of the leaſe by which ſuch rent is reſerved, and that ſuch landlord, or thoſe under whom he derives his title, have been in poſſeſſion of ſuch lands, &c. for three years before ſervice of ſuch ejectment, or ſhall ſhew any ſufficient title to the premiſſes, and it ſhall appear in evidence at the trial that one whole year's rent or more is due to the ſaid landlord, the plaintiff ſhall have judgment in the ſaid ejectment in ſuch manner,

manner, and under ſuch proviſoes, as by the former acts 11 *Ann. cap.* 2. & 4 *Geo.* 1. *cap.* 5. is directed.

XXVI. *ſect.* 2. No privilege of parliament ſhall be allowed in any ejectment brought for the recovery of lands, &c. on account of non-payment of rent, nor in any ſuit commenced againſt any perſons on account of their wilful holding over any lands, &c. after the determination of their term contrary to the intent of the act 11 *Ann. cap.* 2. *for the more effectual preventing of frauds committed by tenants*; nor in any ſuit or motion to obtain any injunction or writ of eſtrepement to prevent waſte. No privilege of parliament.

XXVII. *ſect.* 3. Notwithſtanding any writ of error to reverſe any judgment obtained in any ejectment brought by virtue of this or of the ſaid former act, execution ſhall iſſue and be executed, unleſs the party that brings ſuch writ of error ſhall within four days after ſuch writ of error ſhall be tendered, pay into the court where ſuch judgment was obtained, all ſuch ſums as ſhall appear to be due for the rent of the lands for which ſuch ejectment was brought, together with full coſts of ſuit, which ſums the judges of the court where the ſaid judgment was obtained, ſhall order to be paid over to the leſſor in ejectment, upon his giving ſufficient ſecurity to repay the ſame in caſe the ſaid judgment ſhall be reverſed. Writ of error not to ſtay execution.

XXVIII. *ſect.* 4. Where any leaſe for avoiding of which ſuch ejectment is brought ſhall before the bringing ſuch ejectment have been mortgaged for a valuable conſideration, and the leſſee and mortgagee, and their reſpective aſſignees, ſhall be duly ſerved with ſummous in rhe ſaid ejectment, and proper affidavits of the ſaid ſummons ſhall be made and duly filed, and the plaintiff ſhall obtain judgment and execution in the ſaid ejectment, then if the ſaid mortgagee or his aſſignee ſhall not within nine months after ſuch execution executed, pay or tender unto ſuch landlord the rent in arrear, and coſts to be aſcertained in ſuch manner as by the ſaid acts is directed, ſuch mortgagee or his aſſignee ſhall be barred and foreclоſed of all relief or remedy in law or equity on account of the ſaid mortgage, and the landlord ſhall from thenceforth hold and enjoy the demiſed premiſſes diſcharged from the ſaid mortgage and the equity of redemption. Mortgagees of leaſes.

XXIX. *ſect.* 5. Every mortgage of any leaſe, and every aſſignment thereof already made, ſhall be regiſtred before the 24th of June 1722. and all ſuch mortgages and aſſignments hereafter to be made, ſhall be regiſtred within ſix calendar months after perfection thereof; and in default thereof, the landlord or leſſor may proceed and obtain judgment and execution, although ſuch mortgagee or aſſignee be not ſerved with ſummons in ejectment, in ſuch manner as if ſuch mortgagee or aſſignee had been duly ſerved. Mortgages to be regiſtered.

XXX. *ſect.* 7. In all ejectments which ſhall be ſerved for non-payment of rent, notice ſhall be given in writing on the ſervice of ſuch ejectment, that ſuch ejectment is brought on account of non-payment of rent. Notice to be given.

XXXI. *Stat.* 5 *Geo.* 2. *cap.* 4 *ſect.* 1. Where one whole year's rent or more ſhall be due to any landlord for any lands demiſed for terms of lives, or years determinable upon lives, by leaſes, minutes, or contracts in writing, containing an actual demiſe, wherein no clauſe of re-entry hath been inſerted, ſuch landlord or thoſe lawfully claiming under them, may bring their ejectment and recover the poſſeſſion of ſuch lands, in the ſame manner as if a clauſe of re-entry had been expreſly contained in ſuch leaſe, minute or writing. Clauſe of re-entry.

XXXII. *ſect.* 2. Every leſſor recovering in ejectments for non-payments of rent, and obtaining judgment and execution thereupon, ſhall have the ſame remedy for all arrears to the time of ſuch execution executed, as ſuch leſſors might have had againſt Remedy for leſſors.

againſt the leſſees or their aſſignees, if no ſuch ejectment had been brought, or judgment and execution had been obtained or executed thereupon.

Counterparts of leaſes.

XXXIII. *ſect.* 3. On any trial in ejectment for non-payment of rent in purſuance of this or the former acts, where one year's rent or more is due before the ſummons in ſuch ejectment, where it ſhall be neceſſary to produce the counterpart of any leaſe, minute, or contract containing an actual demiſe, if it ſhall appear to the court that no counterpart was perfected, or if perfected that ſuch counterpart is loſt or ſo miſlaid that it cannot be produced and given in evidence upon ſuch trial, if the leſſors in ſuch ejectment ſhall give in evidence the original leaſe, minute or contract, or a copy thereof, or a copy of ſuch counterpart, and that the leſſees therein named, enjoyed the lands for which ſuch ejectment ſhall be brought under ſuch leaſe, minute, or contract, ſuch original leaſe, or a copy thereof, or a copy of the counterpart ſhall be of the ſame effect, as if the counterpart of ſuch leaſe, minute, or contract had been produced and proved upon ſuch trial.

Renewal without ſurrender of under leaſes.

XXXIV. *ſect.* 4. In caſe any leaſes ſhall be ſurrendered in order to be renewed, and a new leaſe executed by the chief landlord, the new leaſe ſhall without a ſurrender of any the under-leaſes, be as valid as if all the under-leaſes derived thereout had been ſurrendered; and all perſons in whom any eſtate for lives or for years, ſhall be veſted by virtue of ſuch new leaſe, and their executors and adminiſtrators, ſhall be intitled to the rents, covenants, and duties, and have the like remedy for recovery thereof, and the under-leſſees ſhall hold and enjoy the lands and tenements in the reſpective under-leaſes compriſed, as if the original leaſes had been ſtill kept on foot; and the chief landlord ſhall have the ſame remedy by diſtreſs or entry upon the lands, &c. compriſed in any ſuch under-leaſe, for the rents and duties reſerved by ſuch new leaſe, ſo far as the ſame exceed not the rents and duties reſerved in the leaſe, out of which ſuch under-leaſe was derived, as they would have had in caſe ſuch former leaſe had been ſtill continued, or as they would have had in caſe the reſpective under-leaſes had been renewed under ſuch new principal leaſe. *Brit. Stat.* 4 *Geo.* 2. *cap.* 28. *ſect.* 6.

Bills for injunctions to be verified.

XXXV. *ſect.* 5. Where any ejectment is brought on the ſtatutes for the non-payment of rent, or any of them, or any diſtreſs is taken or action brought for arrears of rent, and the tenant files a bill in any court of equity for an injunction to ſtop the proceedings at law for the recovery of ſuch rent, no injunction ſhall iſſue for want of an anſwer, unleſs the plaintiff ſhall verify by affidavit the material allegations in ſuch bill.

Biſhops dying or tranſlated.

XXXVI. *Stat.* 11 *Geo.* 2. *cap.* 15. *ſect.* 3. Every biſhop tranſlated, unto whom any chief rent or other rent ſhall be due at the time of his tranſlation, and in caſe of his deceaſe, his executors or adminiſtrators, ſhall have an action of debt for all ſuch arrears of chief rents, and other rents, againſt the tenants reſpectively, who ought to have paid the ſame to the time of ſuch tranſlation, or againſt the executors or adminiſtrators of the ſaid tenants.

Diſtreſs on the lands.

(2) And it ſhall be lawful for every archbiſhop and biſhop ſo tranſlated, his executors and adminiſtrators, to diſtrain for ſuch arrears upon the lands, which were charged with the payment of ſuch rents, and liable to the diſtreſs of ſuch biſhop at the time of ſuch tranſlation, ſo long as the ſaid lands continue in the ſeiſin or poſſeſſion of the ſaid tenant, or of any perſons claiming the ſaid lands only under the ſame tenant, by purchaſe, gift, deſcent, or aſſignment, and ſuch biſhop his executors or adminiſtrators may lawfully avow upon ſuch diſtreſs for the matter aforeſaid.

Two years limited.

XXXVII. *ſect.* 4. Provided, that ſuch action of debt ſhall be commenced, or ſuch diſtreſs be taken within two years after ſuch tranſlation.

XXXVIII. *Stat.*

XXXVIII. *Stat.* 15 *Geo.* 2. *cap.* 8. *ſect.* 1. In caſe any tenant or perſons paying any rent-charge, or fee-farmers, or leſſees for lives, years, at will, ſufferance, or otherwiſe, of any lands, upon the demiſe whereof any rent ſhall be reſerved or payable, ſhall fraudulently or clandeſtinely carry off their goods to prevent the grantees of rent-charges, or grantors of fee-farms, or landlords from diſtraining the ſame for arrears of rent due; it ſhall be lawful for every grantee, landlord, or any perſons by them lawfully impowered, within twenty days next enſuing ſuch carrying off ſuch goods, to ſeize ſuch goods wherever the ſame ſhall be found as a diſtreſs for the rent, and the ſame to ſell or diſpoſe of, as if the ſaid goods and chattles had been diſtrained upon ſuch premiſſes. Carrying away goods. Seizure in twenty days.

XXXIX. *ſect.* 2. Provided that no landlord or other perſon intitled to ſuch arrears of rent, ſhall ſeize any ſuch goods as a diſtreſs for the ſame, which ſhall be ſold *bona fide*, and for a valuable conſideration before ſuch ſeizure, made to any perſons not privy to ſuch fraud. Goods ſold *bona fide*.

XL. *ſect.* 3. If any ſuch grantor, fee-farmer, tenant or leſſee, ſhall fraudulently remove his or her goods, or if any perſons ſhall knowingly aſſiſt ſuch grantor, fee-farmer, tenant or leſſee, in ſuch fraudulent carrying off of any part of his or her goods, or in concealing the ſame, every perſon ſo offending, ſhall forfeit to the landlords from whoſe eſtates ſuch goods were fraudulently carried off, or to the perſons intitled to ſuch rent-charge, or fee-farm-rent, double the value of the goods by them reſpectively carried off or concealed, to be recovered by action of debt in any court of record in Dublin, wherein no eſſoign, &c. ſhall be allowed. Aſſiſting in removing or concealing goods.

XLI. *ſect.* 4. Where the goods ſo fraudulently carried off or concealed, ſhall not exceed the value of twenty pounds, it ſhall be lawful for the grantees of rent-charges, grantors of fee-farms or landlords, from whoſe eſtate ſuch goods were removed, or their bailiff, ſervant, or agent in their behalf, to exhibit a complaint by civil bill againſt ſuch offenders, before the judges at the reſpective aſſiſes, to be held for the ſeveral counties wherein ſuch offenders reſide, or before the juſtices at the quarter-ſeſſions to be held for the county or the county of the city of Dublin, in caſe the premiſſes from which ſuch removal is made, lie within thoſe diſtricts, who upon full proof of the offence, and alſo the value of the goods ſo fraudulently carried off or concealed, ſhall decree the offenders to pay double the value of the ſaid goods to ſuch grantees of rent-charges, grantors of fee-farms or landlords, or their bailiff, ſervant or agent, with like execution and remedy by appeal as in other caſes of civil bill. Civil-bill for forfeitures.

XLII. *ſect.* 5. It ſhall be lawful for grantees of rent-charges, grantors of fee-farms or landlords, or their ſteward, bailiff, receiver, or other perſons impowered by them, to ſeize as a diſtreſs for arrears of rent, any chattle or ſtock of their reſpective tenants, depaſturing upon any common appendant or appurtenant, or any ways belonging to any part of the premiſſes demiſed, and the ſame to ſell or diſpoſe of in ſuch manner as if the ſaid goods and chattles had been diſtrained upon ſuch premiſſes for ſuch arrears of rent. Diſtreſs on commons.

XLIII. *ſect.* 8. In caſe any tenants having power to determine their leaſes, by giving notice to quit the premiſſes by them holden, ſhall give notice in writing of their intention to quit the premiſſes by them holden at a time mentioned in ſuch notice, and ſhall not accordingly deliver up the poſſeſſion thereof, at the time in ſuch notice contained, then the ſaid tenants, their executors or adminiſtrators, ſhall from thenceforth pay to the landlords or leſſors, double the rent or ſum which they ſhould otherwiſe have paid, to be levied and recovered at the ſame times, and in the ſame manner as the ſingle rent or ſum before the giving ſuch notice could be recovered, Notices of ſurrender. Double rent.

ed, and ſuch double rent or ſum ſhall continue to be paid during all the time ſuch tenants ſhall continue in poſſeſſion.

Actions of treſpaſs, &c.

XLIV. *ſect.* 9. In all actions of treſpaſs, or upon the caſe brought againſt perſons intitled to rents or ſervices, their bailiff or receiver, or other perſon relating to any entry upon the premiſſes chargeable with ſuch rents or ſervices, or to any diſtreſs or ſeizure, ſale, or diſpoſal of any goods, it ſhall be lawful for the defendants to plead the general iſſue, &c. and if the plaintiffs ſhall become nonſuit, diſcontinue their action, or have judgment againſt them, the defendants ſhall have double coſts. *Brit. Stat.* 11 *Geo.* 2. *cap.* 19.

This act is made perpetual, by Stat. 1 *Geo.* 3. *cap.* 17. *ſect.* 15.

Civil-bill for double rent.

XLV. *Stat.* 25 *Geo.* 2. *cap.* 13. *ſect.* 1. Where the ſum to be demanded by an act made in the eleventh year of Queen Anne, *for the more effectual preventing of frauds committed by tenants*, as the double the yearly value of any lands, &c. held over ſhall not exceed twenty pounds, it ſhall be lawful for landlords, or their heirs, executors, adminiſtrators or aſſigns, or ſuch perſons to whom the immediate reverſion of ſuch lands expectant on the determination of ſuch leaſe ſhall belong, to recover the ſaid ſum by civil bill, to be exhibited againſt ſuch tenants or perſons, as by the ſaid act are made ſubject to the ſame, before the juſtices of aſſiſe for the ſeveral counties wherein the lands ſo held over do lie, or before the juſtices of the quarter-ſeſſions to be held for the county or for the county of the city of Dublin, in caſe the lands held over do lie within either of the two laſt mentioned counties, who are impowered to determine the ſame, and with like execution and remedy by appeal as in other caſes of civil bill.

Articles in writing.

XLVI. *ſect.* 2. Where any article, minute, or contract in writing ſhall be made of any lands, and the rent payable for the ſame aſcertained by the ſaid article, and the perſons to whom ſuch article ſhall be made, or any deriving under them, have enjoyed or ſhall enjoy the lands under the ſaid article, and one whole year's rent ſhall be in arrear for the ſaid lands, &c. ſuch landlords, or thoſe lawfully claiming under them, may bring their ejectment and recover the poſſeſſion of ſuch lands, in the ſame manner as if ſuch article, &c. in writing contained an actual demiſe, and as if a clauſe of re-entry had been expreſly ſpecified therein.

Copies of articles or counterparts.

XLVII. *ſect.* 3. On any trial in ejectment for non-payment of rent in purſuance of this act, where one whole year's rent is in arrear before the ſervice of the ſummons in ſuch ejectment, where it ſhall be neceſſary to produce the counterpart of any ſuch article, &c. if it ſhall appear to the court that no counterpart was perfected, or if perfected, that ſuch counterpart is loſt or ſo miſlaid, that it cannot be produced upon ſuch trial, if the leſſors in ſuch ejectment ſhall give in evidence the original article, &c. or a copy thereof, or a copy of ſuch counterpart and the enjoyment of the lands, &c. for which ſuch ejectment ſhall be brought, ſuch original article, or a copy thereof, or a copy of the counterpart ſhall be of the ſame effect, as if the counterpart of ſuch article, &c. had been produced and proved.

Contracts to obſtruct landlords.

XLVIII. *Stat.* 29 *Geo.* 2. *cap.* 12. *ſect.* 1. All bonds, contracts, covenants, or agreements heretofore made or entered into, or hereafter to be made or entered into between any tenants with intent to hinder or obſtruct their landlords, or the agent or bailiff of ſuch landlords, in ſetting any lands, &c. to the beſt advantage; or in diſtraining for any rent or arrears of rent, are declared to be illegal and void.

XLIX. *ſect.*

XLIX. *ſect.* 2. If any perſon from the firſt day of May, 1756, ſhall make or enter into any ſuch bond, covenant, contract, or agreement as aforeſaid, or ſhall knowingly write, or ſend, or cauſe or procure to be written or ſent, any letter without a name ſubſcribed thereto, or ſigned with a fictitious name, or knowingly ſhall publiſh or cauſe to be publiſhed, or ſhall ſet up or cauſe to be ſet up, in any place, any written or printed advertiſement or paper, thereby threatning any violence, injury, or damage to the perſon, or to the eſtate or property of any landlord, agent, or receiver, with an intention to terrify ſuch landlord from ſetting any lands to the beſt advantage; or to terrify any landlord, agent, or receiver from diſtraining for any rent or arrears of rent; or with an intention to terrify any perſon from aſſiſting ſuch landlord or receiver in diſtraining for ſuch rent or arrears of rent; or with an intention to procure or encourage any unlawful combination of tenants, to hinder or obſtruct their landlord, or the agent of ſuch landlord, in the ſetting any lands, &c. to the beſt advantage, or in diſtraining for any rent or arrears of rent; or if any perſon from the ſaid firſt day of May, 1756, ſhall wilfully or maliciouſly deſtroy, or make unfit for uſe, any carriage, cart, truckle, or car, or the harneſs, traces, or other tackle belonging thereto, deſigned, or intended to be employed in drawing or carrying any diſtreſs. Writing or ſending threatning letters.

(2) Every perſon ſo offending, being lawfully convicted upon the oath of one credible witneſs, before any two or more juſtices of the peace for the county, city, town, or place where ſuch offence ſhall be committed, upon any information or proſecution exhibited or commenced within three calendar months after the offence committed (which oaths the ſaid juſtices are hereby required to adminiſter) ſhall forfeit five pounds ſterl. one half thereof to be given to the informer, and the other half to the poor of the pariſh in which ſuch offence ſhall be committed; which ſum of five pounds ſterl. the ſaid juſtices are required to levy, by iſſuing their warrants under their hands and ſeals, for diſtreſs and ſale of the offenders goods and chattles, returning the overplus to the owner; and for want of ſufficient diſtreſs, ſuch offender ſhall, by the order of ſuch juſtices, at their diſcretion, be committed either to the houſe of correction, there to be kept to hard labour, or to the common gaol of ſuch county, &c. there to remain without bail or mainprize, for any time not exceeding three calendar months. Penalty on offenders.

This act is made perpetual, by Stat. 1 Geo. 3. cap. 17. ſect. 18.

Replevin.

I. *Eng. Stat.* Marleber. 52 *Hen.* 3. *cap.* 21. If the beaſts of any man be taken and wrongfully withholden, the ſheriff after complaint made to him, may deliver them, if they were taken out of liberties, and if the beaſts were taken within any liberties, and the bailiffs of the liberty will not deliver them, the ſheriff ſhall cauſe them to be delivered. Sheriff to deliver wrongful diſtreſſes.

II. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 17. If any take the beaſts of other and cauſe them to be driven into a caſtle or fortreſs, and there withhold them againſt gage and pledges, whereupon the beaſts be ſolemnly demanded by the ſheriff or by ſome other bailiff of the King at the ſuit of the plaintiff, and the ſheriff or bailiff taking with him the power of the ſhire or bailiwick do aſſay to make replevin, if any deforce him of the deliverance, or that no man be found for the lord to make deliverance, after ſuch time as the taker ſhall be admoniſhed to make deliverance by the ſheriff or bailiff, the King for the treſpaſs and deſpite ſhall cauſe the caſtle or fortreſs to be beaten down, and all damages that the plaintiff hath ſuſtained in his beaſts or otherwiſe, Cattle driven into fortreſſes.

wiſe, after the firſt demand made by the ſheriff or bailiff, ſhall be reſtored to him double by him that took the beaſts, if he have whereof, and if he have not, he ſhall have it of the lord. And where the ſheriff ought to return the King's writ to the bailiff of the lord of the caſtle or fortreſs, or to any other to whom the return belongeth, if the bailiff of the franchiſe will not make deliverance, the ſheriff ſhall do his office; and in like manner deliverance ſhall be made by attachment of plaint made without writ.

Diſtreſs for ſervices and cuſtoms.

III. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 2. *ſect.* 1, 2. Foraſmuch as lords of fees diſtraining their tenants for ſervices and cuſtoms due, are many times grieved becauſe their tenants do replevy the diſtreſs, and when the lords come by attachment to the county or other court and avow the taking, by reaſon that the tenants diſclaim to hold ought of him which took the diſtreſs, he that diſtrained is amerced; it is provided that where ſuch lords cannot obtain juſtice in the counties, and ſuch courts as ſoon as they ſhall be attached at the ſuit of their tenants, a writ ſhall be granted them to put the matter before the juſtices, and the cauſe put in the writ ſhall be this, becauſe ſuch a man diſtrained in his fee for ſervices and cuſtoms to him due.

Pledges to purſue, &c.

IV. *ſect.* 3. Sheriffs or bailiffs ſhall not only receive of the plaintiffs pledges to purſue before they make deliverance of the diſtreſs, but alſo for the return of the beaſts, if return be awarded; and if any take pledges otherwiſe, he ſhall anſwer for the price of the beaſts, and the lord that diſtraineth ſhall have his recovery by writ *quod reddat ei tot averia vel tot catalla*, and if the bailiff be not able to reſtore it, his lord ſhall; and ſo ſoon as the return of the beaſts ſhall be awarded, the ſheriff ſhall be commanded by a judicial writ to make return unto the diſtrainer, in which writ it ſhall be expreſſed, that the ſheriff ſhall not deliver them without writ making mention of the judgment given by the juſticers, therefore when he cometh unto the juſticers and deſireth again replevin of the beaſts, he ſhall have a judicial writ, that the ſheriff taking ſurety of him to proſecute the ſuit, and alſo for the cattle to be returned or the price of them, if return be awarded, ſhall deliver unto him the beaſt before returned, and the diſtrainer ſhall be attached to come at a certain day before the juſticers, afore whom the plea ſhall be handled in the preſence of the parties; and if he that replevied make default again, or for other cauſe return of the diſtreſs being now twice replevied be awarded, the diſtreſs ſhall remain irrepleviable, but if the diſtreſs be taken of new, and for new cauſe, the proceſs aboveſaid ſhall be obſerved in the new diſtreſs.

Bond with ſureties.

V. *Stat.* 8 *Geo.* 1. *cap.* 6. *ſect.* 5. All ſeneſchals, ſtewards, judges or officers of inferior courts having power to grant replevins, are required to take in their names from the plaintiffs in replevin, a bond with ſufficient ſureties for proſecuting of the ſuit, and alſo for returning of the goods ſo replevied, if a return be awarded before they make deliverance of the diſtreſſes.

Aſſignment of the bonds.

VI. *ſect.* 6 The ſeneſchals, ſtewards, judges, or officers of ſuch inferior courts, at the requeſt and coſts of the avowant or defendant in ſuch ſuit, ſhall aſſign to the avowant or defendant ſuch bond taken from the plaintiff in replevin, by indorſing the ſame under their hands and ſeals in the preſence of two credible witneſſes, for which ſix pence ſhall be paid; and if ſuch bond taken from the plaintiffs in replevin be forfeited, the avowant or defendant in ſuch ſuit, after ſuch aſſignment made, may bring an action in his own name, and proceed to judgment and execution thereupon. *Brit. Stat.* 11 *Geo.* 2. *cap.* 19. *ſect.* 23. *See Tit.* Avowry.

Reſidence.

I. *Eng.* Artic. cler. 9 *Edw.* 2. *cap.* 8. Such clerks as attend in *the King's* ſervice, ſhall be corrected by their ordinaries like as other, but ſo long as they are occupied about *the King's buſineſs* they ſhall not be bound to keep reſidence in their churches. Clerks attending the King.

II. *Stat.* 36 *Hen.* 6. *cap.* 1. All beneficers within *this* land *of Ireland*, ſhall keep reſidence continually in their proper perſons in the ſaid land, and otherwiſe the iſſues and profits of the ſaid benefices, divine ſervice, and ordinary charges kept, ſhall be divided, the half to the commodity and profit of their benefices and churches, the other half to be expended in the King's wars in defence of this land, and any grants of abſency by the King to be made to the contrary hereof, to be void, unleſs that it be by authority of parliament; excepted, ſtudents, pilgrims, and ſuch as of neceſſity muſt ſue by way of appeal, or any other lawful way for reformation of the benefices. Beneficers in Ireland to be reſident.

Return of Writs.

I. *Eng.* Artic. ſuper chart. 28 *Edw.* 1. *cap.* 16. Such execution ſhall be done of them that make falſe return of writs, whereby right is deferred, as in *Stat.* Weſtm. 2. *cap.* 39. *See* **Sheriffs**. Falſe returns.

II. *Eng. Stat.* of York. 12. *Edw.* 2. *cap.* 5. For returns delivered to ſheriffs by bailiffs of franchiſes, an indenture ſhall be made between the bailiff of the franchiſe, and the ſheriff by his proper name; and if the ſheriff change the return ſo delivered to him by indenture, and be thereof convict of the ſuit of the lord, or of the party that hath ſuſtained loſs, he ſhall be puniſhed by the King for his falſe return, and ſhall yield unto the lord and to the party, double damages. Returns by indenture.

(2) Alſo ſheriffs and other bailiffs that receive the King's writs, ſhall ſend their own name with the returns, ſo that the court may know of whom they took ſuch returns; and if any ſheriff or other bailiff leave out his name in his returns, he ſhall be grievouſly amerced. Names to be returned.

III. *Eng. Stat.* 1 *Edw.* 3. *ſt.* 1. *cap.* 5. Againſt falſe returns of bailiffs of franchiſes a man ſhall have averment, and recover as well againſt them as againſt the ſheriff, as well of too little iſſues returned as in other caſes, ſo that it fall not in prejudice of the lords, nor in blemiſh of their franchiſe, and that the eſtate of holy church be always ſaved, and that all the puniſhment fall upon the bailiffs by puniſhment of their bodies, if they have not whereof to anſwer. Averment againſt falſe returns.

IV. *Eng. Stat.* 2 *Edw.* 3. *cap.* 5. At what time or place in the county a man doth deliver any writ to the ſheriff, they ſhall receive the writs, and make a bill after the form contained in the ſtatute *Weſtm.* 2. *cap.* 30. *See Tit.* **Sheriffs**, without taking any thing; and if they refuſe to make a bill, other perſons that be preſent ſhall ſet to their ſeals; and if the ſheriff or under-ſheriffs do not return the writs, they ſhall be puniſhed after the form in the ſame ſtatute; and the juſtices of aſſiſes ſhall have power to inquire thereof at every man's complaint, and to award damages. Sheriffs receiving writs.

Revenue officers.

I. *Stat.* 33 *Geo.* 2. *cap.* 10. *ſect.* 13. If any maſter, or other perſon having the charge of any ſhip or veſſel, ſhall refuſe to permit any perſons authorized or deputed by any writing, ſigned by the collector or other chief officer of the port where ſuch veſſel ſhall arrive, to take the care and charge of ſuch veſſel upon them, or to enter Refuſing entry to officers.

into ſuch his ſhip, veſſel, gabbard, hoy, bark or boat, or to remain on board, or ſhall obſtruct ſuch perſons in performing ſuch things as they ſhall be authorized or deputed to perform, the maſter or other perſon ſo offending, ſhall, for every ſuch offence, forfeit fifty pounds.

Officers ſecreting goods.

II. *ſect.* 29. Every revenue officer who ſhall ſecrete any tea or other exciſeable goods whatſoever, ſhall, over and above all other penalties he is or may be liable to by virtue of any law now in being, forfeit and loſe the ſum of twenty pounds ſterl. to be recovered in the ſame manner as other debts of ſmall value are by law recovered, and ſhall alſo forfeit and loſe his employment in the revenue.

Refuſing entrance into houſes, &c.

III. *ſect.* 32. In caſe any perſon ſhall refuſe to permit, or ſhall not ſuffer any ſurveyer, ſearcher, waiter, or officer of his Majeſty's revenue, who ſhall from time to time be duly deputed and appointed thereto, to enter or come into, or remain in their houſe, cellar, vault, ſhop, ware-houſe, ſtore-houſe, or ſtore-cellar, or other places to ſearch for ſuch exciſeable goods, as he may reaſonably ſuſpect to be concealed in ſuch place, it ſhall be lawful for ſuch officers after ſuch refuſal, to break open and enter in the day time, in the preſence of a conſtable, into any houſe, cellar, vault, ſhop, ware-houſe, ſtore-cellar, or other place or places belonging to any ſuch perſons as aforeſaid, and to ſearch for any goods for which the duties payable thereupon to his Majeſty have not been paid; and in caſe any ſuch goods ſhall be ſo found, to ſeize, carry away, and put the ſame into ſafe cuſtody.

Proof of cauſe ſuſpicion.

IV. *ſect.* 33. Provided, that if any officer of the revenue ſhall be ſued or proſecuted for ſearching or breaking open any houſe, cellar, vault, ſhop, or ware-houſe, ſtore-houſe, ſtore-cellar, or other places wherein no ſuch goods ſhall be found, that the proof of ſuch officer's having reaſonable or probable cauſe to believe that there were ſuch goods in the ſaid places at the time of ſearching or breaking open the ſame, ſhall lie upon the ſaid officer.

Aſſaulting officers.

V. *ſect.* 37. If any perſon ſhall unlawfully aſſault or beat any officer of his Majeſty's revenue, or his aſſiſtants, in the due ſeizing and ſecuring any exciſeable goods which they have reaſonable cauſe to ſuſpect to be liable to a ſeizure by the laws of the land, or by force or violence reſcue or carry away, or ſhall procure to be reſcued or carried away, any ſuch goods, after legal ſeizure as aforeſaid, or ſhall at or after ſuch ſeizure, deſtroy or damage the ſaid goods or any part of them, every perſon ſo offending, being thereof legally convicted, by the verdict of a jury of twelve men, or upon his or her confeſſion, ſhall for the firſt offence, forfeit one hundred pounds, and upon failure of payment thereof, ſhall ſuffer impriſonment for twelve months, and for the ſecond offence ſhall be tranſported to ſome of his Majeſty's plantations in America, there to continue for ſeven years.

Account of ſpirits, &c.

VI. *ſect.* 38. It ſhall be lawful for any officer of his Majeſty's revenue, to enter in the day time into the ſhop, houſe, out-houſe, room, or ware-houſe of any ſhop-keeper, or other perſon that ſhall vend or ſell brandy, or other foreign ſpirits and tobacco by retail, and take an account from time to time, of all ſuch ſpirits and tobacco, as ſhall be found in their poſſeſſion, ſhop, houſe, out-houſe, or ware-houſe, and to make a juſt return thereof, ſigned under their hands, in ſuch manner as accounts are directed to be taken, and returns made of beer, ale, *aqua vitæ*, or ſtrong waters belonging to any common brewer, vintner, diſtiller, inn-keeper, or ale-houſe keeper, by an act 14 *Car.* 2. *cap.* 8. *for the ſettling of the exciſe.*

Who deemed retailers.

(2) No perſon ſhall be deemed a retailer of tobacco, brandy, or other foreign ſpirits within this act, but ſuch as ſell brandy or other foreign ſpirits in quantities under one gallon, and tobacco under four hundred and twenty five pounds weight.

VII. *ſect.*

VII. *ſect.* 39. If ſuch ſhop-keeper, or other perſon ſelling foreign ſpirits or tobacco by retail, ſhall refuſe or hinder any ſuch officer of his Majeſty's revenue as aforeſaid, to enter into his or their ſhop, ſtore-houſe, room, out-houſe, or other places belonging to them, and to take an account from time to time of all ſuch ſpirits in their poſſeſſion, they ſhall forfeit fifty pounds. Refuſing entrance, &c.

VIII. *ſect.* 99. Every gauger and his ſureties ſhall be liable to, and be charged with, the payment of all ſums of money which ſuch gauger ſhall receive for any of his Majeſty's duties and penalties inflicted for the breach of any of the exciſe laws, provided the ſame be received by ſuch gauger under a written order, ſigned for that purpoſe by the collector of the diſtrict in which ſuch gauger is ſtationed. Money received for duties.

IX. *ſect.* 101. Every perſon appointed to any employment in his Majeſty's revenue, may, with the conſent of the chief commiſſioners of exciſe, or any three of them, be ſworn and take the oath of office, or other oaths, which they are required by law to take, before their entering on their offices, either before ſuch perſons as are now authorized to adminiſter the ſame, or before any juſtice of the peace, or before the collector of the diſtrict where ſuch officer ſhall be appointed to reſide, in the ſeveral counties, counties of towns and cities, where ſuch officers ſhall be appointed to reſide; and ſuch collector or juſtice of the peace, are required to adminiſter the ſaid oaths, and ſuch perſons who ſhall be ſo ſworn before ſuch collector, or any juſtice of the peace in the ſeveral counties, counties of towns, or cities, may take upon them the execution of their offices. Oaths may be taken before a juſtice.

X. *ſect.* 102. The ſeveral officers of the cuſtomhouſe-quays and ſtores, and the officers appointed to take entries, ſhall give conſtant and due attendance in their reſpective ſtations and buſineſſes, from the firſt day of October to the firſt day of March, from ten o'clock in the forenoon, to three o'clock in the afternoon, and from the firſt day of March to the firſt day of October, from nine o'clock in the forenoon, to three o'clock in the afternoon of each day (Sundays and holidays excepted) for the diſpatch of buſineſs of all merchants and dealers having reſort to them, inſtead of attending at the ſeveral hours during which they were formerly obliged to attend. Attendance of officers.

XI. *ſect.* 103. If any ſuit ſhall be commenced againſt any officer of his Majeſty's revenue in this kingdom, or any perſons that ſhall aid and aſſiſt ſuch officers, for any thing by them done in execution of their offices, ſuch officers, their aiders and aſſiſtants, may plead the general iſſue, and give the ſpecial matter in evidence to the jury who ſhall try the ſame. General iſſue.

XII. *ſect.* 104. Provided that ſuch officers or their attornies, ſhall, at leaſt fourteen days before ſuch trial, in caſe ſuch officers ſhall on ſuch trial give any records in evidence, give notice in writing to the plaintiff, or his attorney, what records they intend to give in evidence on ſuch trial Notice of records.

XIII. *ſect.* 105. In *all ſuits, actions, indictments, or informations*, brought againſt any officer of his Majeſty's revenue, and in *all ſuits, actions, indictments, or informations, brought by* any officer of his Majeſty's revenue in his own name, or in his Majeſty's name, or in the name of any informer, where it may be neceſſary to prove the commiſſions of ſuch officers, an atteſted copy of the entry in any of the books of the commiſſioners of his Majeſty's cuſtoms or exciſe in Dublin, or of the entry in the collectors books of that diſtrict where they acted as officers, ſhall be admitted as evidence in all courts of record of their being legal officers, or of their having authority to act as officers of his Majeſty's revenue, without producing the commiſſion by which they were appointed. Proof of commiſſions.

XIV. *ſect.* 106. In all actions to be brought againſt the officers of his Majeſty's revenue, or their aſſiſtants, for any thing done by them in the execution of their Notice of trial of actions.

office, the plaintiff ſhall give notice of trial at leaſt twenty days before, to the defendants, or their attornies, and in like manner, if the trial of ſuch action ſhall be brought on by proviſo, the like notice ſhall be given by ſuch defendants to the plaintiffs or their attornies.

Bribing officers. XV. *ſect.* 107. All perſons who ſhall give or offer any bribe or reward whatſoever, to any officer of his Majeſty's cuſtoms or exciſe, to connive at, conſent to, or permit any goods to be run into this kingdom, or to connive at any falſe or ſhort entry of ſuch goods, ſhall, for every ſuch offence, being indicted and convicted thereof by the verdict of twelve men, or by their confeſſion, forfeit one hundred pounds.

Receiving bribes. (2) And every officer of his Majeſty's cuſtoms or exciſe, who ſhall accept of any bribe or reward whatſoever, to connive at, conſent to, or permit any goods or merchandizes to be run into this kingdom, or to connive at, conſent to, or permit any falſe or ſhort entry of the ſame, or to do any other act whereby his Majeſty may be defrauded of the duties, or any part thereof payable for ſuch goods, ſhall upon conviction as aforeſaid, for every ſuch offence forfeit one hundred pounds.

Collectors accounts evidence. XVI. *ſect.* 108. The ſeveral abſtracts and quarterly accounts, monthly and quarterly ſent up by the collectors to the chief commiſſioners of his Majeſty's cuſtoms or exciſe, and alſo the ſeveral annual accounts ſettled between ſuch collectors and the accomptant general, ſhall, in all actions or ſuits againſt the ſureties of ſuch collectors be allowed in all courts of law and equity, as evidence of debts and arrears due to his Majeſty from ſuch collectors reſpectively.

Affidavit annexed to accounts. XVII. *ſect.* 109. Every collector of his Majeſty's revenue ſhall, to every quarterly account by him ſent up to the commiſſioners of his Majeſty's cuſtoms or exciſe, annex the following oath in writing, to be by him ſigned and made before a juſtice of the peace, or chief magiſtrate of ſome city or town corporate, that is to ſay,

I A. B. *Collector of do ſwear, that I have carefully peruſed and examined the foregoing account of receipts and payments for his Majeſty's uſe, for the quarter ending the day laſt, containing pages, and have carefully compared the ſame with the ſeveral vouchers and entries, and that the ſame is, to the beſt of my knowledge, judgment, and belief, a juſt and true account, and contains all the receipts and payments that I, as collector, am accountable for, within the period of time therein comprehended: and further, that the ſeveral arrears returned in the ſaid account are really due and lying out uncollected, as I verily believe.*

Oaths of office. XVIII. *ſect.* 118. It ſhall be lawful for the lord chancellor, or keeper of the great ſeal, or for the chief juſtice of the King's-bench or common-pleas, or for any of the judges of the ſaid courts, to adminiſter the oaths of office to the perſons appointed to be commiſſioners of his Majeſty's cuſtoms and exciſe, and they are required to adminiſter ſuch oaths; and ſuch perſons who ſhall be ſo ſworn before the ſaid lord chancellor or keeper of the great ſeal, or before the ſaid chief juſtices, or judges as aforeſaid, are declared to be as effectually admitted in their offices of chief commiſſioners of his Majeſty's cuſtoms or exciſe, and ſhall take upon them the execution thereof, in the ſame manner as if they had been ſworn before the lord chief baron, or the chancellor of exchequer, or any of the barons thereof.

Penalties how recovered. XIX. *ſect.* 120. All the forfeitures and penalties inflicted by this act (other than ſuch as are otherwiſe by this act appointed) ſhall be ſued for and recovered, levied, and applied, in ſuch manner as are preſcribed by *Stat.* 14 *Car.* 2. *cap.* 8. *for the ſettling of the exciſe*, &c. with the like remedy of appeal to the parties that ſhall think themſelves aggrieved, as by the ſaid act is provided.

This act is continued for two years, &c. *from the 24th of June*, 1766, *by Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 36.

XX. *Stat.*

XX. *Stat.* 3 *Geo.* 3. *cap.* 21. *ſect.* 4. Every maſter, purſer, or other perſon having charge or command of any ſhip or veſſel trading in or to any of the ports of this kingdom, ſhall accommodate ſuch officers of the revenue, as ſhall be placed on board ſuch ſhip or veſſel, with beds or hammocks, not exceeding two at one time, to reſt or ſleep in under the deck of ſuch ſhip or veſſel, upon pain of forfeiting five ſhillings Engliſh money for every twenty-four hours ſuch maſter, purſer, or other perſon having charge of ſuch ſhip or veſſel, ſhall neglect or refuſe ſo to do, which penalty ſhall be recovered againſt the maſter, purſer, or other perſon having charge or command of ſuch ſhip or veſſel, by warrant under the hands and ſeals of the commiſſioners and ſub-commiſſioners of exciſe, in their reſpective diſtricts, or the major part of them, to arreſt the perſon of ſuch maſter, purſer, or other perſon, having the charge or command of ſuch ſhip or veſſel, and to commit them to the goal of the city or county wherein ſuch warrant ſhall be granted, there to remain until the ſaid penalty is paid, a ſummons being firſt iſſued, and proof made of the ſaid offence, either by the confeſſion of the party charged therewith, or by other ſufficient evidence upon oath, which oath the commiſſioners and ſub-commiſſioners in their reſpective diſtricts, or the major part of them, are hereby authorized to adminiſter.

Maſters of ſhips accommodate officers.

Beds or hammocks.

Neglect or refuſal,

Arreſt of maſter until payment of penalty.

This act is continued for two years, &c. from the 24th of June, 1766, *by Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 36.

XXI. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 23. *Whereas it has frequently happened, that the collectors of his Majeſty's revenue, and their clerks, have reſpectively run in arrear to his Majeſty, and have thereupon abſconded and withdrawn themſelves ſo as not to be diſcovered, and have carried with them, or ſecreted the ſeveral books of account relating to his Majeſty's revenue under their collection and care, with intent to prevent the chief commiſſioners of his Majeſty's revenue, or the officers employed under them, to examine their ſeveral accounts, entries, and diſburſements, in order to aſcertain the balance remaining due to his Majeſty after all juſt allowances: for remedy of which evil,* it *is* enacted, that if any collector, or clerk of any collector, or other perſons whatſoever, ſhall wilfully deſtroy, or cauſe to be deſtroyed, or ſhall with deſign to defraud his Majeſty, wilfully obliterate or deface, or cauſe to be obliterated or defaced, any of the books of account appertaining to his Majeſty's revenue, or belonging to any cuſtom-houſe or exciſe-office within this kingdom, every ſuch collector, clerk of any collector, or other perſons, on being legally convicted thereof, ſhall be adjudged guilty of felony, and ſhall ſuffer death without benefit of clergy, or of the ſtatute.

Collectors running in arrear.

Deſtroying books of account felony.

XXII. *ſect.* 24. If any collector, clerk of any collector, or other perſons, ſhall wilfully take away or ſecrete any of the books of accounts appertaining to his Majeſty's revenue, or belonging to any cuſtom-houſe or exciſe-office, and ſhall not within twenty-one days after demand made by the chief commiſſioners of his Majeſty's revenue, or any two of them, or by any officer ſpecially authorized for that purpoſe, by writing under the hands and ſeals of any two of the commiſſioners of his Majeſty's revenue, deliver up (upon oath, if required) to the ſaid chief commiſſioners, or officers authorized by them as aforeſaid, all ſuch books of account relating to his Majeſty's revenue, in their cuſtody or power, every collector, clerk of any collector or other perſons offending in the premiſſes, on being legally convicted thereof, ſhall be adjudged guilty of felony, and ſhall ſuffer death without benefit of clergy or of the ſtatute.

Taking away books of account felony.

XXIII. *ſect.* 25. Provided nevertheleſs, that no attainder, corruption of blood, or other diſability ſhall enſue ſuch conviction.

No other diſability.

XXIV. *ſect.*

Revenue-officers.

Abſconding.

XXIV. *ſect.* 26. Provided alſo, that in caſe ſuch collector, or clerk of any collector, ſhall abſcond or conceal himſelf, ſo as a perſonal demand cannot be made for ſuch books of account as are herein before mentioned, in that caſe, on notice, or demand made in writing, and affixed to the principal door of ſuch cuſtom-houſe or exciſe-office, and printed in the Dublin Gazette for the ſpace of three kalendar months, ſuch notice or demand ſo affixed and printed, ſhall be deemed to be as effectual in law, to all intents, conſtructions and purpoſes, as if a perſonal demand had been made on ſuch collector or clerk charged with taking away or ſecreting ſuch books of account.

Notice in the Gazette.

Proſecution in two years.

XXV. *ſect.* 27. Provided, that no perſon ſhall be proſecuted by indictment or otherwiſe, for any of the offences hereby made capital, unleſs the ſame be brought or exhibited within two years next after the offence committed, and not after the ſaid two years.

This act ſhall continue in force for two years, from the twenty-fourth day of June, 1766, and to the end of the then next ſeſſion of parliament.

Riots.

Rioters to be arreſted.

I. *Eng. Stat.* 13 *Hen.* 4. *cap.* 7. *ſect.* 1. If any riot, aſſembly, or rout of people againſt law be made, the juſtices of peace, or two of them, and the ſheriff ſhall come with the power of the county, if need be, and arreſt them; and the ſame juſtices and ſheriff ſhall have power to record that that they find ſo done in their preſence againſt law; and by the record ſuch offenders ſhall be convict in manner as in the ſtatute of forcible entry.

Inquiry to be made.

(2) And if ſuch offenders be departed before the coming of the juſtices and ſheriff, the ſame juſtices, or two of them, ſhall diligently inquire within a month after, of ſuch riot, aſſembly or rout, and ſhall hear and determine the ſame.

Certificate of riots.

II. *ſect.* 2. If the truth cannot be found, then within a month next following the juſtices, or two of them, and the ſheriff ſhall certifie before the King and his council all the deeds and circumſtances thereof, which certificate ſhall be of like force as the preſentment of twelve men; upon which certificate the offenders ſhall be put to anſwer, and they which be found guilty ſhall be puniſhed after the diſcretion of the King and his council.

Traverſe of certificates.

III. *ſect.* 3. If ſuch offenders traverſe the matter certified, the certificate and traverſe ſhall be ſent into the King's bench to be tried and determined; and if the offenders do not come before the King and his council at the firſt command, there ſhall be made another directed to the ſheriff, to take the offenders if they may be found, and bring them at a certain day before the King and his council, or in the King's bench.

Proclamation by the ſheriff.

(2) And if they cannot be found, the ſheriff ſhall make proclamation in the county next enſuing the delivery of the ſaid ſecond command, that they come before the King and his council, or in the King's bench, or in the chancery in time of vacation, within three weeks then following; and in caſe the offenders come not, and the proclamation made and returned, they ſhall be convict of the riot, aſſembly or rout.

Execution of the ſtatute.

IV. *ſect.* 4. The juſtices of peace dwelling nigheſt where ſuch riot, aſſembly or rout ſhall be made, together with the ſheriff, and alſo the juſtices of aſſiſes for the time that they ſhall be in their ſeſſions, ſhall do execution of the ſame ſtatute, every one upon pain of 100*l.*

Commiſſion of enquiry,

V. *Eng. Stat.* 2 *Hen.* 5. *ſt.* 1. *cap.* 8. *ſect.* 1. If default be found in the ſaid juſtices of peace or juſtices of aſſiſe (named in the ſtatute 13 *Hen.* 4 *cap.* 7.) and the

the ſheriff or under-ſheriff of the county where ſuch riot, aſſembly or rout ſhall be made, touching the execution of the ſaid ſtatute; at the inſtance of the party grieved, the King's commiſſion ſhall go out under his great ſeal, to enquire as well of the truth of the cauſe, and of the original matter, as of the defaults of the juſtices, ſheriff or under-ſheriff, to be directed to indifferent perſons, at the nomination of the chancellor; and the commiſſioners ſhall ſend into the chancery the inqueſts before them taken.

Panel by the coroners.

(2) And the coroners ſhall make the panel for the time that the ſheriff that is ſuppoſed in the default ſhall ſtand in his office, which coroners ſhall return no perſons but ſuch which have lands to the value of 10l. by the year; and the coroners ſhall return upon the perſons impanelled at the firſt day iſſues to 20s. and at the ſecond day 40s. and at the third day 100s. and at every day after the double at leaſt; and if default be found in the coroners touching the return of ſuch perſons impanelled, or touching the return of iſſues, every of them ſhall pay to the King 40l. and if the ſheriff be diſcharged of his office, the new ſheriff ſhall make the panel.

Writ from the chancellor.

(3) And the chancellor, as ſoon as he may have knowledge of ſuch riot, aſſembly or rout, ſhall cauſe to be ſent the King's writ to the juſtices of peace and to the ſheriff, that they put the ſtatute in execution, upon the pain contained in the ſame; and though ſuch writ come not to the juſtices or ſheriff, they ſhall not be excuſed if they make not execution of the ſtatute.

King's coſts.

VI. *ſect.* 2. Provided that the juſtices and other officers ſhall do their offices at the King's coſts, by payment to be made by the ſheriff by indentures betwixt the ſheriff and the juſtices and other officers.

Puniſhment of rioters.

(2) And rioters attainted of great and heinous riots ſhall have one year's impriſonment, and rioters attainted of petty riots ſhall have impriſonment as beſt ſhall ſeem to the King and his council; and the fines of ſuch rioters ſhall be by the ſaid juſtices increaſed and put in greater ſums than they were wont to be.

People to be aſſiſtant.

(3) And the King's liege people in the county ſhall be aſſiſtant to the juſtices, commiſſioners, ſheriff or under-ſheriff, when they ſhall be reaſonably warned to ride with them to reſiſt ſuch riots, &c. upon pain of impriſonment, and to make fine and ranſom to the King.

Bailiffs of franchiſes,

(4) And bailiffs of franchiſes ſhall cauſe to be impanelled ſufficient people, upon pain to loſe to the King 40l. and like ordinances and pains ſhall hold place in cities, boroughs, and other places which have juſtices of peace.

Capias againſt rioters.

VII. *Eng. Stat.* 2 *Hen.* 5. *ſt.* 1. *cap.* 9. *ſect.* 1. Of murders, manſlaughters, robberies, batteries, aſſemblies of people in great number, in manner of inſurrection, and other rebellious riots, if any perſon come into chancery and make complaint that any ſuch felon or offender fly or withdraw him, a bill ſhall be made for the King; and the chancellor after ſuch bill to him delivered (if he be duly informed that ſuch bill containeth truth) ſhall have power to make a writ of *capias* at the King's ſuit, directed to the ſheriff, returnable in chancery at a certain day; and if the perſons be taken by the ſheriff, or yield them in the chancery, ſuch perſons ſhall be put in ward, or to mainprize, and he ſhall ſend to inquire of ſuch offences.

Writs of proclamation.

(2) And if the ſheriff return, that the perſons cannot be taken, and the ſame perſons do not yield them in the chancery, the chancellor ſhall cauſe to be made a writ of proclamation directed to the ſheriff, returnable in the King's bench, that he make proclamation in two counties, that the perſons named in the writ ſhall come to anſwer to the matter compriſed in the bill, upon pain to be convict; and in every ſuch writ of proclamation ſhall be contained the ſubſtance of the bill, and if they come not at the day, then ſhall they be convict.

VIII. *ſect.*

Suggeſtions to be witneſſed.

VIII. *ſect.* 2. Provided that the ſuggeſtions of ſuch riots be witneſſed to the chancellor by letters under the ſeals of two juſtices of peace and the ſheriff, before the writ of *capias* be granted, in which writ the matter compriſed in the bill ſhall be as well expreſſed as in the writ of proclamation.

Made perpetual, 8 *Hen.* 6. *cap.* 14.

Confirmation.

IX. *Eng. Stat.* 8 *Hen.* 6. *cap.* 14. *ſect.* 1. The ſaid ſtatute 2 *Hen.* 5. *cap.* 9. ſhall be kept.

Common fame.

X. *ſect.* 2. Provided that it be witneſſed by two juſtices of the peace, that the common fame runneth in the counties of the ſame riots, before the writ of *capias* be awarded.

Riotous aſſemblies.

XI. *Stat.* 3 *Geo.* 3. *cap.* 19. *ſect.* 1. *Whereas of late many unlawful, riotous, and tumultuous aſſemblies have been in divers parts of this kingdom: and whereas it is the duty of juſtices of the peace, and of the ſheriff, and under-ſheriff of the county, where any unlawful riot or tumultuous aſſembly ſhall be, taking with them, if need be, the power of the county, to arreſt the offenders ſo as to bring them to juſtice*, on notice or knowledge of any ſuch unlawful, riotous, and tumultuous aſſembly, every juſtice of the peace, ſheriff, under-ſheriff, mayor, bailiff, and other head officer, within the limits of their reſpective juriſdictions, taking with them the neceſſary aſſiſtance (and they are hereby authorized and impowered to command all his Majeſty's ſubjects of age and ability, to be aſſiſting to them therein) ſhall reſort to the place where ſuch unlawful, riotous, and tumultuous aſſembly ſhall be, and there uſe their utmoſt endeavours to diſperſe the ſame, and to apprehend and ſeize the offenders, in order to their being proceeded againſt according to law, and if the perſons ſo unlawfully, riotouſly, and tumultuouſly aſſembled, or any of them, ſhall happen to be killed, maimed, or hurt, in the diſperſing, ſeizing, or apprehending, or the endeavouring to diſperſe, ſeize, and apprehend them, then every ſuch juſtice of the peace, ſheriff, under-ſheriff, mayor, bailiff, head officer, or other peace officer, and all perſons being aiding or aſſiſting to them or any of them, ſhall be freed, diſcharged, and indemnified, as well againſt the King's Majeſty, as againſt all perſons, of, for, or concerning the killing, maiming, or hurting any ſuch perſons ſo unlawfully, riotouſly, and tumultuouſly aſſembled, that ſhall happen to be ſo killed, maimed, or hurt as aforeſaid, and no proſecution whatſoever ſhall be had or carried on againſt ſuch juſtice or juſtices of the peace, ſheriff, under-ſheriff, mayor, bailiff, head officer, or other peace officer, or perſon ſo aiding or aſſiſting as aforeſaid, on account of any ſuch killing, maiming, or hurting, unleſs the ſame ſhall be commenced within twelve months next following.

Duty of juſtices, ſheriffs, &c. On notice of riotous aſſemblies, command aſſiſtance.

Apprehend offenders. Rioters killed or maimed.

Diſcharged from proſecution, commenced in twelve months.

Perſons formerly concerned, &c.

XII. *ſect.* 2. Every juſtice of the peace, ſheriff, under-ſheriff, peace officer, or other perſon who has been heretofore in times paſt concerned, aiding, or aſſiſting in the diſperſing, or the endeavouring to diſperſe any riotous or tumultuous aſſembly, in the doing of which it may have happened that ſome perſons have been killed, maimed, or hurt, ſhall be alſo in like manner, and for ever freed, diſcharged, and indemnified of, for, or concerning, all ſuch killing, maiming, or hurting, if no proſecution for the ſame has been already, or ſhall be commenced on or before the twenty fourth day of June, in the year of our Lord one thouſand ſeven hundred and ſixty four.

diſcharged from proſecution, &c.

XIII. *Stat.* 5 *Geo.* 3. *cap.* 8. *ſect.* 1. *Whereas it has frequently happened of late, in different parts of this kingdom, that ſeveral perſons, as well by night as in the daytime, have in a riotous, diſorderly, and tumultuous manner aſſembled themſelves, and being ſo aſſembled and met together, have abuſed and injured many perſons by aſſaulting,*

ing, wounding, or otherwiſe maltreating their perſons, or by deſtroying or injuring their property, to the great detriment and diſturbance of ſeveral of his Majeſty's loyal and faithful ſubjects, and have forceably impoſed ſundry oaths contrary to law, and which, if not timely prevented, may become dangerous to the general peace of this kingdom, and his Majeſty's government therein; for preventing thereof, it *is* enacted, that if any perſons, to the number of five or more, ſhall meet and go by night and aſſault, injure, or otherwiſe maltreat any perſon by wounding, beating, tying, or by any other act of cruelty, whereby the life or limb of the perſon aſſaulted may be in danger, or ſhall wilfully or maliciouſly deſtroy or injure their property, by killing, maiming, or worrying their cattle, or by deſtroying or ſpoiling their houſes, barns, mills, or mill-dams, hay, corn, or grain, or potatoes, whether the ſame be growing, ſtanding, or lying in the field or haggard, or maliciouſly digging up ground, every perſon ſo offending, and being thereof found guilty, ſhall ſuffer death as in caſes of felony, without benefit of clergy.

Five or more meeting, &c. in the night guilty of felony.

XIV. *ſect.* 2. And if any perſons ſhall aſſemble in number as above, and ſhall commit any of the above offences in the day-time, they ſo offending, ſhall on conviction thereof, be deemed to be guilty of felony, and every ſuch felon ſhall be ſubject and liable to the like pains and penalties as in caſes of felony; and the court before whom ſuch perſons ſhall be tried, ſhall have power to tranſport ſuch felons, in like manner as other felons are directed to be tranſported by the laws of this kingdom.

Aſſembling in the day time, &c. guilty of felony.

XV. *ſect.* 3. *And whereas it may tend to diſcourage ſuch inſurgents from perpetrating their wicked and unlawful intentions, and in ſome meaſure prevent their being guilty of the abovementioned offences, if the damage done by them on ſuch occaſions was recovered off the county or barony wherein the ſame was committed, before the conviction of the offenders: and in order to prevent ſuch evils, and for the more effectual diſcovery and apprehending of ſuch offenders,* it *is* enacted, that upon ſuch notice given to the high-conſtable of the barony where the offence ſhall be committed, as in the caſe of robbery petitions, that if the inhabitants of the adjoining towns, neighbourhood, or barony wherein ſuch offence ſhall be committed, ſhall not apprehend, or cauſe or procure to be apprehended, the ſaid offenders, or ſome one of them, or ſhall not diſcover to a juſtice of the peace, and give an examination againſt one or more of them, before the aſſizes next after ſuch offence ſhall be committed, the perſons ſo injured, ſhall be intitled to have and recover ſatisfaction for any loſs they ſhall have ſuſtained, to be preſented, raiſed, and levied upon the county at large, or upon any barony of the county, at the diſcretion of the grand jury, by ſuch ways and means, as other publick money may be preſented, levied, and raiſed by the laws now in force in this kingdom.

Notice to the high conſtable.

Recovery on the barony.

XVI. *ſect.* 4. *And whereas, the gaols of this kingdom have of late been frequently broke open, and the priſoners confined therein ſet at large:* it *is* enacted, that any perſons, who ſhall, by force or violence, break open any gaol or priſon, with an intention to reſcue and enlarge any priſoner therein confined, on account of any offence, though the ſame be not capital; every perſon who ſhall commit ſuch offence, and ſhall be found guilty thereof, ſhall ſuffer death, as in caſes of felony without benefit of clergy, and may be tryed before the tryal or attainder of the perſons ſo enlarged.

Breaking open gaols, &c.

XVII. *ſect.* 5. And every perſon who ſhall reſcue any perſon committed by a juſtice of the peace, on a mittimus for treaſon or felony from a conſtable, or any perſon legally authorized for that purpoſe, before the perſons ſo committed ſhall be

Reſcuing perſons committed.

lodged in gaol, ſhall on being convicted and found guilty thereof ſuffer death, as in caſes of felony without benefit of clergy.

Tendring oaths, &c.

XVIII. *ſect.* 6. And every perſon who ſhall by force, violence, or menaces, impoſe or tender any oath or oaths, or any other ſolemn engagement on any other perſon, in order thereby to compel or engage them to commit or conceal any unlawful act, ſhall on conviction thereof be deemed to be guilty of felony without benefit of clergy.

Summoning perſons taking oaths, &c.

XIX. *ſect.* 7. Every juſtice of the peace in this kingdom, ſhall have full power to ſummon any perſons within his juriſdiction, whom he ſhall have cauſe to ſuſpect to have taken ſuch illegal oaths, and to examine them relative thereto; and in caſe ſuch perſons who have been ſummoned for that purpoſe ſhall refuſe to ſubmit to ſuch examination, it ſhall be lawful for ſuch juſtice to commit the perſon ſo refuſing to be examined, to the publick gaol of the county where he is juſtice of the peace, for any ſpace of time not exceeding ſix months.

Juſtices in another county.

XX. *ſect.* 8. And if any juſtice of the peace of the county where any offence is committed happens to be in another county, he, or any juſtice of the peace for ſuch foreign county, may, upon proper information, iſſue their warrant to arreſt any perſon offending againſt this act, and the perſon arreſted ſhall be brought before ſuch juſtice of the peace, who is hereby impowered, upon due examination, and probable cauſe appearing to them, either to commit the offender to priſon, or to admit him to bail, if the offence with which he is charged be a bailable offence, or to diſcharge him if no ſufficient cauſe for his detention appears.

Examinations to be returned.

XXI. *ſect.* 9. And ſuch juſtice of the peace ſhall return all examinations and recognizances taken by, or entered into before him, to the next aſſizes or general quarter-ſeſſions to be held for the county, in which ſuch offence is alledged to have been committed.

Attendance to give evidence.

XXII. *ſect.* 10. And ſuch juſtice of the peace ſhall or may be examined on the trial of ſuch offender in the proper county, and he ſhall attend to give evidence on ſuch trial unleſs prevented by ſome fatality or inevitable accident, or other ſufficient reaſon verified by the affidavit of the party, or ſome other credible perſon, and if he ſhall make default herein, he ſhall be fined by the court in a ſum not leſs than ten pounds, nor exceeding twenty pounds, which fine ſhall be eſtreated into the exchequer.

XXIII. *ſect.* 11. Provided that nothing herein contained ſhall be conſtrued in any ſort to repeal or alter any act of parliament now in force, relating to the offences herein before mentioned, but that ſuch acts ſhall remain in full force; as if this act had never been made.

XXIV. *ſect.* 12. This act ſhall be read publickly in open court, on the ſecond day of every aſſizes, and the firſt day of every quarter-ſeſſions of the peace in every county of this kingdom.

XXV. *ſect.* 13. And this act ſhall continue in force for two years, and to the end of the then next ſeſſion of parliament.

Rivers.

Bank fees.

I. *Stat.* 28 *Hen.* 8. *cap.* 22. *ſect.* 2. No perſons, bodies politic ne corporate within this land, their conſtables, fermours, officers or ſervants, ſhall take or ſuffer to be taken, levied, or received any cuſtoms called bank fees, ne any other duty, rent or cuſtom of any boat or other veſſel paſſing or repaſſing in or through any the rivers of the Barrow, the Boyre, the Suyr, and the Rie, or of any boat or other veſſel wherein any perſons do fiſh in any of the ſaid rivers ſo far as the ſalt water doth ebb and

and ſlow, or of the owners of any goods, victual or ſtuff being in any ſuch boat and other veſſels, or of the boatmen of the ſaid boats and other veſſels, but they ſhall peaceably ſuffer the ſaid boats and other veſſels, with all the goods, victual, fiſh and ſtuff in the ſame, and the owners of the ſaid goods and their ſervants, and the boatmen upon the ſaid rivers, and the land adjoining to the ſame, and the ſaid owners, their ſervants, mariners, boatmen, and all other perſons coming in aid and help of them at all ſuch times as the ſaid mariners ſhall think the ſame needful, ſhall have the breadth of ſeven feet or more, as need requires, of plain ground upon every part of the land, of every ſide of the ſaid rivers, next adjoining to the ſaid rivers where they muſt needs draw the ſaid boats and other veſſels with ſtrength of horſes or men by land, unleſs that at the making of this act there be a caſtle, fortreſs, orchard or garden, upon any ſuch land ſo adjoining to the ſaid rivers of every ſide of the water, for the drawing, loading, and conveying of the ſaid boats and other veſſels, without any impediment of any of the poſſeſſioners of the ſaid lands, or any perſons, bodies politic or corporate, upon pain of forfeiture to every perſon offending in the premiſſes, as often as they ſhall ſo offend, treble the value of that thing that they do take to be forfeit and given to the party grieved, and over that ten pounds, the one half thereof to the King, and the other half to the party that will ſue for the ſame, in any the King's courts, wherein no eſſoign, &c. ſhall be allowed. *See Tit.* **Weirs** *and* **Inland navigation.**

Robbery.

I. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 9. All ſhall be ready and apparelled at the ſummons of ſheriffs, and at the cry of the country, to purſue felons, as well within franchiſes as without; and they that will not ſo do, and thereof be attainted, ſhall make a grievous fine; and if default be found in the lord of the franchiſe, the King ſhall take him to the franchiſe; and if default be in the bailiff, he ſhall have one year's impriſonment, and make a grievous fine; and if he have not whereof, he ſhall have impriſonment of two years. Purſuit of felons.

(2) And if the ſheriff, coroner, or other bailiff, for reward, or for prayer, &c. conceal felonies done in their bailiwicks, or forbear to arreſt ſuch felons, or otherwiſe to do their office, and be attainted thereof, they ſhall have one year's impriſonment, and make a grievous fine; and if they have not whereof to make fine, they ſhall have impriſonment of three years. Concealing felonies.

II. *Eng. Stat.* Winton. 13 *Edw.* 1. *ſt.* 2. *cap.* 1. Proclamation ſhall be made in all counties, markets, fairs, and other places, that every country be ſo well kept, that immediately upon robberies and felonies committed, freſh ſuit be made from town to town, and from country to country. Freſh ſuit.

III. *Eng. Stat.* Winton. 13 *Edw.* 1. *ſt.* 2. *cap.* 2. Inqueſts ſhall be made in towns, and after in the hundred, and after in the franchiſe and in the county, and ſometimes in three or four counties, where felonies be committed in the marches of ſhires, ſo that the treſpaſſers may be attainted. Inqueſt to be made.

(2) And if the country do not anſwer for ſuch miſdoers, the people dwelling in the country ſhall anſwer for the robberies and for the damages, ſo that the whole hundred where the robbery happeneth, with the franchiſes, ſhall anſwer for the robberies. Damages to be anſwered.

(3) And if the robbery be done in the diviſion of two hundreds, both hundreds, with the franchiſes, ſhall anſwer it, and after the felony done, the country ſhall have no longer than forty days to agree for the robbery and treſpaſs, or elſe they ſhall anſwer for the bodies of the offenders. Hundreds to anſwer.

Conſtables to preſent defaults

V. *Eng. Stat.* Winton. 13 *Edw.* 1. *ſt.* 2. *cap.* 6. The conſtables ſhall preſent before juſtices aſſigned, ſuch defaults as they ſhall have found of purſuits, and of watches, and of highways, and alſo ſhall preſent all ſuch as lodge ſtrangers in uplandiſh towns, for whom they will not anſwer. And the juſtices aſſigned ſhall preſent the ſame at every parliament unto the King, and the King ſhall provide remedy.

Statute to be read.

VI. Artic. ſuper chart. 28 *Edw.* 1. *cap.* 17. The ſtatute of Wincheſter 13 *Edw.* 1. *Stat.* 2. ſhall be read four times by the year, as well as the two great charters; and to the keeping of that ſtatute the three knights ſhall be charged, who are aſſigned through the counties to redreſs things done againſt the great charters.

Priſage holden for robbery.

VII. *Stat.* 3 *Edw.* 2. *cap.* 1. Foraſmuch as merchants, and the common people of this land, are much impoveriſhed and oppreſſed by the priſes of great lords, which take what they will throughout the country, without paying any thing or agreeing with the owner for the ſame; and alſo foraſmuch as they will ſojourn and lodge at their pleaſure with the people againſt their wills, it is agreed that no ſuch priſes be henceforth made without ready payment and agreement, and that none ſhall harbour or ſojourn at the houſe of any other againſt the conſent of him which is owner of the houſe, to deſtroy his goods, and if any ſhall do the ſame, ſuch priſes ſhall be holden for open robbery, and the King ſhall have the ſuit thereof, if others will not nor dare not ſue.

Kearns to be dealt with as robbers.

VIII. *Stat.* 3. *Edw.* 2. *cap.* 2. None ſhall keep idle people nor kearn in time of peace to live upon the poor of the country, but thoſe which will have them, ſhall keep them at their own charges, ſo that their tenants be not charged with them; and if any idle man or kearn take any thing of any perſon againſt his will in the form aforeſaid, the wardens of the peace and the ſheriff of the county where ſuch act ſhall be done, ſhall do with him as with an open robber, as often as they ſhall have notice thereof by indictment, or by the ſuit of the King or the party.

Roberdeſmen.

IX. *Eng. Stat.* 5 *Edw.* 3. *cap.* 14. Becauſe there hath been divers manſlaughters, felonies, and robberies done by people called roberdeſmen, waſters, and drawlatches, if any man have ſuſpicion of ſuch, be it by day or by night, they ſhall be arreſted by the conſtables, and if they be arreſted within franchiſes, they ſhall be delivered to the bailiffs, and if in the guildable, they ſhall be delivered to the ſheriffs, and kept in priſon until the coming of the juſtices of gaol-delivery, and in the mean time, the ſheriffs and bailiffs ſhall cauſe inquiry to be made of ſuch perſons arreſted, and at the coming of the juſtices, they ſhall return their inqueſts before them with the bodies, and the juſtices ſhall proceed to the deliverance of ſuch perſons, and in caſe the ſheriffs or bailiffs have not inquired of ſuch perſons arreſted, they ſhall be amerced, and nevertheleſs the juſtices ſhall proceed to the deliverance.

Proclamation of the act 13 Ed. 1.

X. *Eng. Stat.* 7 *Rich.* 2. *cap.* 6. Every ſheriff ſhall be bound in proper perſon to make proclamation of the ſtatute of Wincheſter four times in the year in every hundred in his bailiwick, and by his bailiffs in every market-town, as well within liberties as without.

Thieves found robbing.

XI. *Stat.* 28 *Hen.* 6. *ſeſſ.* 1. *cap.* 3. It ſhall be lawful to every liege man, all notorious and known thieves, and thieves found robbing and ſpoiling or breaking houſes by night or by day, and thieves found with the manner, to kill them, and to

to take them without impeachment, arraignment, or grievance to him to be done by the King, his juſtices, officers, or any of his miniſters, for any ſuch manſlaughter or taking. And every man that kills or takes any ſuch thieves, ſhall have one penny of every plough, and one farthing of every cottage within the barony where the manſlaughter is done, for every thief. And the town where the ſaid manſlaughter is done, and other four towns next to the ſaid town which were before charged with the eſcapes for ſuch manſlaughter, ſhall be diſcharged of the ſaid eſcapes without impeachment in any court or payment to any officer, and the ſheriff of the county ſhall have power to levy the money aforeſaid, in the ſaid form within one month after the ſaid manſlaughter, and ſhall deliver to him that made the ſaid homicide. And if the ſheriff be negligent in levying the ſaid money, he ſhall pay the money to the party.

Baronies anſwerable.

XII. *Stat.* 10 & 11 *Car.* 1. *cap.* 13. *ſect.* 1. The inhabitants of every hundred or barony with the franchiſes within the precinct thereof, wherein defect of freſh ſuit after hue and cry made ſhall be, ſhall anſwer half of ſuch damages as ſhall by force of virtue of the ſtatutes, 13 *Edw.* 1. & 28 *Edw.* 3. in England, or either of them, be recovered againſt the hundred or barony, with the franchiſes therein in which robbery or felony ſhall be committed.

Suit for recovery.

(2) And the ſame may be recovered in any of the King's Majeſty's courts of record in the name of the clerk of the peace of ſuch county where ſuch robbery and recovery by the parties robbed ſhall be, without naming the chriſtian name or ſirname of the ſaid clerk of the peace, which moiety ſo recovered ſhall be to the uſe of the inhabitants of the ſaid hundred or barony where ſuch robbery or felony ſhall be committed.

Clerk of the peace dying.

XIII *ſect.* 2. If any clerk of the peace ſhall commence ſuch ſuit, and ſhall die or be removed out of his office before recovery and execution had, yet no ſuch action ſhall by ſuch diſplacing or death be abated, but it ſhall be lawful for the clerk of the peace ſucceeding in the ſaid county to proſecute ſuch action.

Aſſeſſment by juſtices.

XIV. *ſect.* 3. After execution of the damages by the parties robbed, it ſhall be lawful upon complaint made by the parties charged, for two juſtices of the peace whereof one to be of the *quorum* of the ſame county inhabiting within the hundred or barony, or near unto the ſame, where ſuch execution ſhall be had, to aſſeſs all the towns, pariſhes, villages, and hamlets, as well of the ſaid hundred or barony where ſuch robbery ſhall be committed, as of the liberties within the ſaid hundred or barony, to an equal contribution for the relief of the inhabitants againſt whom the parties robbed had their execution.

Conſtables to aſſeſs inhabitants.

(2) And after ſuch taxation made, the conſtables or headboroughs of every ſuch town, &c. ſhall have power to aſſeſs according to their abilities, every inhabitant towards the payment of ſuch taxation as ſhall be ſo made upon every ſuch town, pariſh, &c. by the ſaid juſtices. And if any inhabitant ſhall obſtinately refuſe to pay the ſaid aſſeſſment ſo by the conſtables or headboroughs aſſeſſed, it ſhall be lawful for the conſtables and headboroughs to diſtrain every perſon ſo refuſing, and the diſtreſs to ſell.

Payment of the money.

XV. *ſect.* 4. The conſtables and headboroughs after they have collected the ſaid rates, ſhall within ten days pay the ſame over unto the juſtices of peace or one of them, to the uſe of the inhabitants for whom ſuch aſſeſſment ſhall be made, which money ſhall by the juſtices receiving the ſame, be delivered upon requeſt unto the ſaid inhabitants.

Default of purſuit.

XVI. *ſect.* 5. The like aſſeſſment ſhall be had within every hundred and barony where default of purſuit ſhall be, for the benefit of all inhabitants of the ſame hundred or barony where ſuch default ſhall be, that ſhall by virtue of this act have any

money

money levyed of them for the payment of half of the money recovered against the ſaid hundred or barony where any robbery ſhall be committed.

Offender apprehended.

XVII. *ſect.* 6. Where any robbery ſhall be committed by two or a greater number of malefactors, and any of the ſaid offenders be apprehended by purſuit to be made according to the former ſtatutes or this act, no hundred, barony, or franchiſes ſhall incur the penalty mentioned either in this act or in the former ſtatutes, although the reſidue of the malefactors ſhall eſcape.

Limitation of ſuits.

(2) No perſons robbed ſhall take any benefit by any the former ſtatutes to charge any hundred or barony where ſuch robbery ſhall be committed, except they ſhall commence their ſuit within one year after ſuch robbery committed.

Horſemen and footmen.

XVIII. *ſect.* 7. No hue or cry or purſuit to be made by the country or inhabitants of any hundred or barony ſhall be allowed to be a lawful purſuit after the ſaid offenders, except the ſame be made by horſemen and footmen.

Notice of robbery.

XIX. *ſect.* 8. No perſons that ſhall be robbed ſhall have any action, or take any benefit by virtue of the ſaid ſtatutes, except the perſons robbed ſhall with as much convenient ſpeed as may be, give notice of the ſaid felony or robbery unto ſome of the inhabitants of ſome town, village, or hamlet near unto the place.

Examination in twenty days.

(2) Nor ſhall bring any action upon the ſtatutes aforeſaid, except they ſhall firſt within twenty days next before ſuch action to be brought, be examined upon their corporal oath, to be taken before ſome juſtice of the peace inhabiting within the ſaid hundred or barony where the robbery was committed, or near unto the ſame, whether they do know the parties that committed the ſaid robbery or any of them.

Bond to proſecute.

(3) And if upon ſuch examination it be confeſſed that they do know the party or any of them, they ſhall before the ſaid action be brought, enter into ſufficient bond by recognizance before the ſaid juſtice, effectually to proſecute the perſons ſo known to have committed the ſaid robbery according to law. *Eng. Stat.* 27 *Eliz. cap.* 13.

Satisfaction for robberies.

XX. *Stat.* 7 *Will.* 3. *cap.* 21. *ſect.* 1. The inhabitants of every barony or county, ſhall make full ſatisfaction for all robberies, burglaries, burning of houſes or haggards of corn, killing or maiming of cattle, which ſhall be committed by robbers, rapparees, or tories within ſuch barony or county, in manner following, that is to ſay, where the facts ſhall be committed by papiſts or reputed of the popiſh religion, the popiſh inhabitants of the barony or county ſhall make ſatisfaction for the ſame, and where the ſaid facts ſhall be committed by proteſtants or reputed to be of the proteſtant religion, the proteſtant inhabitants of the barony or county ſhall make ſatisfaction for the ſame. And if the facts be committed by popiſh and proteſtant robbers, rapparees, or tories, the popiſh and proteſtant inhabitants of the barony or county wherein ſuch facts ſhall be committed, ſhall make ſatisfaction for the ſame, and in ſuch proportion, and according to the number of ſuch papiſts and proteſtants as ſhall commit the ſame, that is to ſay, if two papiſts and one proteſtant, the papiſt inhabitants to pay two ſhares, and the proteſtants the remaining third part of the damages, and ſo *pro rata* in caſe of a greater or leſſer number. And if the ſaid facts be committed in the diviſion or mearing of two baronies or two counties, ſo as it ſhall be uncertain in which county or barony the facts were committed, the inhabitants of both baronies or both counties ſhall make ſatisfaction for the ſame, in ſuch manner and under ſuch diſtinction as is hereby declared.

XXI. *ſect.* 2 Where the damages do not exceed ten pounds, the inhabitants of the barony and franchiſes wherein the ſaid facts ſhall be committed, and not the county at large ſhall make ſatisfaction for the ſame, in ſuch manner and with ſuch diſtinction as aforeſaid. Damages on baronies.

(2) And where the damages do exceed ten pounds, the inhabitants of the county ſhall make ſatisfaction for the ſame in the manner and with the diſtinction aforeſaid; and the jury that ſhall try any action commenced on this act, ſhall in their verdict aſcertain the perſons that commit ſuch robbery, burning of houſes or haggards of corn, killing or maiming of cattle, whether they were papiſts or proteſtants, and the number of the one and the other, as alſo the damages, according to the evidence that ſhall be on the trial offered to them, Damages on counties.

XXII. *ſect.* 3. Every perſon ſo robbed or damnified may ſue for and recover their damages againſt any inhabitant of the ſaid county or barony, who by this act ſhall be made liable to anſwer any part thereof, and after ſuch recovery and execution againſt the ſaid inhabitants, all other the inhabitants of the ſaid barony or county, who by this act ſhall be made liable to the ſaid damages, ſhall be rateably taxed towards an equal contribution for the relief of ſuch inhabitant, againſt whom the ſaid recovery and execution is had, which tax ſhall be made, levied and raiſed by ſuch means as is preſcribed in a former ſtatute, *for the following of hue and cry*, made in the tenth and eleventh years of King Charles the firſt. Recovery of money.

XXIII. *ſect.* 4. No perſon ſhall recover any damages by virtue of this act, unleſs they by themſelves, or by their ſervants within twenty four hours after ſuch robbery or injury done them, by any robbers, tories or rapparees, or within reaſonable time after he ſhall be at liberty, ſhall give notice of ſuch robbery or miſchiefs done unto ſome of the inhabitants of ſome town, village, or hamlet near unto the place where ſuch fact ſhall be committed. Notice in twenty four hours.

(2) And ſhall within four days after ſuch notice give in their examination upon oath, or of their ſervants that were in their houſe, or that had the care of his corn, ſtock or goods, before ſome juſtice of the peace inhabiting within the barony where the ſaid fact ſhall be committed, or near unto the ſame, whether they do know the perſons that committed ſuch fact, or any of them. Examinations in four days.

(3) And if upon ſuch examination it be confeſt, that they do know the perſons, or any of them, they ſhall be bound by recognizance to proſecute ſuch offenders according to law. Recognizance to proſecute.

XXIV. *ſect.* 5. Before any action ſhall be commenced on this act for recovery of damages for any loſſes ſuſtained by reaſon of any robbery, burning of houſes or corn, or deſtruction of cattle, the perſons ſo injured, ſhall procure a preſentment to be made at the next aſſiſes or quarter-ſeſſions to be held after ſuch robbery or fact committed, by the grand jury of the county, wherein notice ſhall be taken of ſuch robbery or other injuries or miſchiefs, and of the loſſes ſuſtained, the number of the offenders, and how many of them are papiſts, and how many proteſtants or reputed ſuch, as alſo of the baronies and counties where ſuch fact was committed, with the names of the offenders. Preſentment to be made.

(2) But where the perſons robbed, burnt, or injured, or their ſervants do not know the names of all or any of the offenders, and ſhall declare ſo on their oath openly in court, the grand jury in ſuch preſentment to give the beſt deſcription they can on the evidence produced before them of ſuch maleſactors, to the end they may be brought the ſpeedier to juſtice, which preſentment ſhall be given in evidence by the perſons that ſhall obtain the ſame, on any trial for damages, for his loſſes ſuſtained according to this act. Deſcription of perſons.

XXV. *ſect.*

Proclamation on preſentment.

XXV. *ſect.* 6. If any perſons ſhall be preſented at the aſſiſes or quarter-ſeſſions by the grand jury as a tory, raparee, or robber out on his keeping; and ſuch preſentment being returned to the clerk of the council, the perſons in ſuch preſentment named, ſhall by proclamation from the lord deputy or chief governors and council be proclaimed.

Convict of high treaſon.

(2) And in caſe ſuch perſons ſo proclaimed, do not within the time to be limited by ſuch proclamation render themſelves to ſome juſtice of the peace of the county where ſuch preſentment ſhall be made, they ſhall from thenceforth be convict of high treaſon, and all perſons concealing, aiding, abetting, and ſecuring ſuch perſons ſo preſented and proclaimed knowingly, after the time limited by ſuch proclamation, ſhall be guilty of felony without clergy. *The other clauſes of this act, which are omitted, are altered by the ſubſequent ſtatutes.*

This act, ſo far as it is not altered by Stat. 6 *Geo.* 1. *cap.* 12. *is continued by Stat.* 29 *Geo.* 2. *cap.* 8. *ſect.* 2. *from the end of that ſeſſion of parliament for twenty one years, and to the end of the next ſeſſion.*

Murdering or maiming.

XXVI. *Stat.* 9 *Will.* 3. *cap.* 34. *ſect.* 1. Where any perſon ſhall be murdered, maimed, or diſmembred by any robber, tory, or rapparee, and the offenders or the major part of them, ſhall not be killed or apprehended, and brought before ſome magiſtrate, within ſix calendar months after the committal of ſuch offence, in order to their being proſecuted for the ſame, the reſpective grand juries of the counties where ſuch fact ſhall be committed are hereby required at any aſſiſes to be held for ſuch county, within one year after ſuch fact committed, to preſent and charge upon the popiſh or proteſtant inhabitants of ſuch county reſpectively, and proportionably according as the number of ſuch robbers, tories, or rapparees ſhall be papiſts or reputed papiſts, or proteſtants as is herein after mentioned, the ſums following, that is to ſay;

Sums to be preſented.

(2) In caſe of murder, ſuch ſum ſhall not exceed twenty pounds; and in caſe of maim or diſmembring any perſon, ſuch ſum not exceeding ten pounds; as ſuch grand juries on conſideration had of the quality of the perſon murdered, maimed, and diſmembred, and circumſtances of his family ſhall think fit; ſuch ſum in caſe of murder to be paid for the uſe of the widow and children of the party murdered; or if he ſhall not be married at the time of his death, to the uſe of his children or other next relation; and in caſe of maim or diſmembring of any perſon, ſuch ſum to be paid to the perſons ſo maimed or diſmembred; or if he ſhall die before the recovery thereof, to the uſe of his widow, children, or other relations as in caſe of murder; the ſaid ſums not to be aſſets in the hands of ſuch widow, children or relations, or liable to anſwer any debts of the party deceaſed.

Payment of money.

(3) Which ſum ſo to be preſented, ſhall be paid by the perſons in manner, and according to the proportions following; that is to ſay, where ſuch robbers, tories, or raparees ſhall be papiſts or reputed of the popiſh religion, by the papiſt inhabitants of ſuch county, and where ſuch robbers, tories, or raparees ſhall be proteſtants, or reputed to be of the proteſtant religion, by the proteſtant inhabitants of ſuch county, and where the ſaid facts ſhall be committed by papiſts and proteſtants, then by the popiſh and proteſtant inhabitants of ſuch county in ſuch proportion, and according to the number of ſuch papiſts and proteſtants as ſhall commit the ſame; for the levying of which ſuch proceſs in the nature of an execution, ſhall iſſue on ſuch preſentment againſt any one or more of the perſons chargeable therewith, and ſuch contribution taxed and levied for his relief, againſt all other perſons chargeable therewith, as is herein after appointed in caſe of ſatisfaction recovered for the loſſes or injuries ſuffered by ſuch robbers, tories, and rapparees.

XXVII. *ſect.* 2. Where any perſon is by the former act intitled to recover ſatisfactionfor any damage ſuffered by any robber, tory, or rapparee, ſuch perſon may purſue his remedy for recovery of ſuch ſatisfaction at the next aſſiſes to be held for the ſaid county, where ſuch offence was committed, before the judges of aſſiſe and grand jury of the ſaid county, in the method following, that is to ſay, the perſons ſo robbed, ſhall at the ſaid aſſiſes, exhibit to the judges of aſſiſe their petition, therein praying ſuch ſatisfaction. Method of ſuing.

(2) And ſhall ſet forth the time and place when and where ſuch robbery was committed, or other injury done, the ſeveral particular goods loſt or other damages ſuffered, and the particular value thereof, and by what number of perſons ſuch robbery was committed or injury done, and of what religion ſuch offenders or any of them were, with the names and deſcriptions of ſuch of the ſaid offenders as he doth know, and ſuch particular deſcriptions of ſuch others of them as he can give. Purport of petitions

(3) And the ſaid matter ſhall thereupon be examined by ſuch judges of aſſiſes in open court, in the preſence of ſuch grand jury, on the oath of the party robbed or injured, and ſuch other evidence as can be produced touching the ſaid facts; and the grand jury are required on conſideration of the ſaid matter amongſt themſelves, to make ſuch preſentment touching the ſame, and of ſuch ſums of money as the perſons ſo robbed or injured ought to have for ſuch loſs, injury or damage, and by what perſons whether papiſts or proteſtants, and in what proportions for each of them, the ſame ought to be paid. Examination in open court.

(4) For which ſum ſo preſented, proceſs ſhall iſſue, in the nature of an execution againſt any inhabitants of the ſaid county chargeable therewith, and all the inhabitants of the ſaid county, who ſhall by ſuch preſentment be made chargeable with the ſaid damages, ſhall be rateably taxed towards an equal contribution for relief of ſuch inhabitants againſt whom ſuch proceſs is had, which tax ſhall be levied by ſuch means as is preſcribed in a former ſtatute, *for the following hue and cry*, made in the tenth and eleventh year of King Charles the firſt. Proceſs to be iſſued.

XXVIII. *ſect.* 3. Provided that if any perſons ſhall find themſelves aggrieved by any preſentment to be made in purſuance of this or the former act, ſuch perſons, in caſe the ſum preſented to be raiſed do exceed five pounds, may at the ſaid aſſiſes traverſe the ſame, which traverſe ſhall be tried at the ſame or the next aſſiſes, as the judges who ſhall allow the ſame ſhall think fit; and if on ſuch traverſe the iſſue ſhall be found for the traverſer, ſuch preſentment ſhall be diſcharged; and if the iſſue ſhall thereupon be found againſt the traverſer, they ſhall pay to the perſons on whoſe behalf the preſentment was made, twenty ſhillings coſts, and the ſaid preſentment ſhall thereupon be concluſive to all perſons. Traverſe of preſentments.

XXIX. *ſect.* 4. Where the perſon ſo robbed or injured doth intend to proceed to recover ſatisfaction for the ſame, at any aſſiſes againſt the popiſh or proteſtant inhabitants of any barony, ſuch perſons ſhall leave notice in writing with the high conſtable of ſuch barony of ſuch his intentions, and againſt what inhabitants whether papiſts or proteſtants, eight days at leaſt before ſuch aſſiſes; to the end that ſuch high conſtable may give public notice thereof to the inhabitants of the ſaid barony deſigned to be charged therewith, that they may be provided and have an opportunity to bring evidence for themſelves, and oppoſe the making ſuch preſentment, or otherwiſe may traverſe ſuch preſentment after the ſame is made. Notice to the high conſtable.

XXX. *ſect.* 5. No ſuch preſentment ſhall be removed by *Certiorari*, or the proſecution thereupon otherwiſe delayed than by ſuch traverſe, and that for ſuch time only as ſhall be neceſſary for the trial of ſuch traverſe, nor ſhall any ſuch preſentment be quaſhed for any informality. No *certiorari*.

Goods recovered, to be ſold and diſtributed.

XXXI. *ſect.* 6. When any of the goods, for which the party ſo robbed hath received ſatisfaction by ſuch preſentment, ſhall be diſcovered, ſo as the ſame or ſatisfaction for them may be recovered, the perſons upon whom the ſum ſo preſented was levied, ſhall have the property thereof, and they may maintain ſuch action, and purſue ſuch remedy for getting ſuch goods, as the perſons robbed might have had before ſuch ſatisfaction received; ſuch goods, after the ſame ſhall be recovered, to be ſold for the moſt the ſame will yield, and the money, after the charges for the recovery thereof are deducted, to be diſtributed and paid proportionably unto the ſeveral perſons ſo taxed, towards the payment of the ſum contained in the ſaid preſentment according to their ſeveral taxations, ſuch ſale and diſtribution to be directed by the juſtices of the peace ſigning ſuch taxation.

Copies of preſentments.

XXXII. *ſect.* 7. The clerk of the crown for the county where ſuch preſentment ſhall be made, ſhall on requeſt deliver to any perſons deſiring the ſame, true copies ſigned by him of all ſuch preſentments in purſuance of this or the ſaid former act; and of all warrants for the levying of any money grounded thereupon, for each of which there ſhall be paid to the clerk of the crown one ſhilling only.

Former proceedings.

XXXIII. *ſect.* 8. This act ſhall not extend to annul any verdict, judgment, or other proceedings already obtained in purſuance of the ſaid former act.

Suits for damages.

XXXIV. *ſect.* 9. During the continuance of this and the ſaid former act, no ſuit ſhall be brought for recovery of any ſatisfaction or damages for any robbery committed, or loſs or injury ſuſtained, for which remedy is given by this or the ſaid former act, or any other ſtatute.

Pardon to diſcoverers.

XXXV. *ſect.* 10. If any perſon who hereafter ſhall commit any robbery or burglary, ſhall, while he is at large, and before he ſhall be apprehended or in cuſtody for ſuch offence, make diſcovery of any two or more of ſuch robbers, tories or rapparees, being alſo at large and not in cuſtody, ſo as ſuch two or more robbers, tories or rapparees, ſhall thereupon be apprehended and convicted for ſuch offence, or ſhall kill any two or more of ſuch tories or robbers as ſhall be indicted and proclaimed, according to the ſaid former act, and be out on their keeping at the time of ſuch their being killed; the perſons ſo making ſuch diſcovery, or killing ſuch robbers or tories, ſhall not be proceeded againſt for any robbery or burglary, committed before the making ſuch diſcovery, or ſuch killing, but ſhall receive his Majeſty's pardon for the ſame, which ſhall alſo be a good bar to any appeal to be brought for ſuch robbery or burglary.

Proclamation evidence.

XXXVI. *ſect.* 11. During the continuance in force of this or the ſaid former act, the printed proclamation wherein any perſon is mentioned to be preſented by a grand-jury of any county, at the general aſſiſes or quarter-ſeſſions held for the ſaid county, to be a tory, rapparee or robber out on his keeping, ſhall be adjudged ſufficient evidence againſt ſuch tory, rapparee or robber.

Certificate of clerk of the council.

XXXVII. *ſect.* 12. Provided, that before ſuch proclamation ſo given in evidence, the clerk of the council, or his deputy, do certify under his hand and ſeal on the back of ſuch proclamation, that he hath ſuch preſentment as by the ſaid act is required returned to him and remaining in his office, wherein the ſaid tory, rapparee, or robber is by name preſented to be a tory, rapparee or robber out on his keeping, by the ſame name that he is named or ſtiled in the ſaid proclamation, and that the ſaid proclamation was grounded thereon, and that the original proclamation under the great ſeal agrees *verbatim* with the printed proclamation whereon he has written ſuch his certificate; which proclamation with ſuch certificate indorſed thereon, the ſaid clerk of the council for the time being, or his deputy, ſhall ſend to the ſeveral clerks of the crown in this kingdom without any fee.

This

This act ſo far as it is not altered by Stat. 6 Geo. 1. cap. 12. *is continued by* Stat. 29 Geo. 2. cap. 8. ſect. 2. *from the end of that ſeſſion of parliament, for twenty one years, and to the end of the then next ſeſſion.*

XXXVIII. *Stat.* 2 *Ann. cap.* 12. *ſect.* 2. Where any perſons ſhall be convict of concealing, ſuccouring, abetting, or harbouring any tory, robber, or rapparee preſented and proclaimed, in caſe the judges of aſſiſe before whom ſuch perſons ſhall be convict, with the grand-jury of the county at the ſaid aſſiſes, ſhall think them fit objects of her Majeſty's mercy, the ſaid judges of aſſiſe ſhall after having pronounced the ſentence of the law, reſpite the execution of the ſaid ſentence, and ſhall remand the ſaid convict felons to the common gaol of the ſaid county, there to remain without bail or mainprize. Convicts of harbouring.

(2) And in caſe any perſon trading to any of her Majeſty's plantations beyond the ſea, ſhall make application to the judges of aſſiſe before whom ſuch felons were convict, to have ſuch felons delivered to him to be tranſported to any of her Majeſty's plantations beyond the ſeas, the ſaid judges are hereby required to direct their warrant to the ſheriff of the county, in whoſe cuſtody ſuch convict felons remain, to deliver ſuch felons to ſuch perſon deſiring the ſame, which warrant the ſaid judges are required to grant without fee or reward. Warrants for tranſportation.

(3) Provided the ſaid perſon deſiring the ſame be a ſolvent perſon, and ſhall enter in one bond or recognizance of the penalty of twenty pounds, before the judges granting the ſaid warrant, that immediately on the receipt of the ſaid warrant he will receive and take ſuch convict felons from the ſheriff or gaoler, and convey them on board ſome ſhip then bound immediately for ſome part of her Majeſty's plantations beyond the ſeas, and tranſport and land them in ſome part of the ſaid plantations, except prevented by the parties death, caſualties of the ſeas, or being taken by an enemy, and he return a certificate thereof from the governor or chief magiſtrate of the place where ſuch perſon is ſo landed, within eighteen months after the date of the ſaid bond or recognizance. Recognizance.

(4) Which bond or recognizance ſhall be delivered to the clerks of the peace of the county from whence ſuch priſoner was taken within three months after the date hereof, to the end the grand jury at the quarter-ſeſſions may inquire whether ſuch priſoners were tranſported according to the tenor of the ſaid bond or recognizance, and if it be found they were not, then the ſaid bond or recognizance to be immediately returned into *the* exchequer, to be put in ſuit againſt the party bound therein, for which bond the ſaid perſon ſhall pay twelve pence. Bond to be lodged.

(5) And upon return of a certificate from the governor or chief magiſtrate of ſuch perſons being landed as aforeſaid beyond ſeas, the ſaid bond or recognizance ſo entered into, ſhall be delivered up to be cancelled to the party producing ſuch certificate, without any fee; and the ſheriff or gaoler in whoſe cuſtody ſuch convict felons remain, are required on receipt of ſuch warrant from the judges of aſſiſe, to deliver ſuch convict felons in their cuſtody, and mentioned in the ſaid warrant, according as the ſaid warrant directs, without fee, or being detained on any other pretence, and their receipt on the back of ſuch warrant ſhall be a ſufficient diſcharge to the ſheriff or gaoler for the priſoners mentioned in the ſaid warrant. Cancelled on certificate.

This act being repealed (except the clauſe relating to the tranſportation of perſons convicted for concealing or harbouring, &c. any tory, robber, &c. who is preſented as ſuch and proclaimed) *by Stat* 9 *Ann. cap.* 6. *it is doubtful how far any other part of the preceding clauſe is now in force, beſides that which gives the judges the power of tranſportation, inſtead of the former penalties.*

Notice to the high conſtable.

XXXIX. *Stat.* 6 *Ann. cap.* 11. *ſect.* 2. All perſons pretending to be robbed, ſhall not only give notice thereof to ſome neighbouring juſtice of the peace, as is already provided by a former act, but ſhall likewiſe on all robberies within five days after the fact give notice to the high conſtable of the barony where ſuch robbery ſhall be alledged to be committed, and in caſe ſuch robbery be committed in the diviſion of any two baronies, then to the high conſtables of both the ſaid baronies, who are reſpectively required forthwith to publiſh the ſame in all the market towns of the baronies where ſuch robberies are ſaid to be committed.

Appeal from applotments.

XL. *ſect.* 3. Whereas the principal inhabitants of each pariſh are ſummoned to applot on the inhabitants within their reſpective pariſhes the money ordered at the aſſiſes, to be levied off the county, for the reimburſing the perſons that are robbed, and do uſually lay the whole burthen on the poorer ſort, the party grieved by ſuch apportionment may appeal to the next going judges of aſſiſe, who upon examination upon oath in open court of the matters comp'ained of, ſhall determine the ſame, and make ſuch order, and award ſuch coſts, as they ſhall think fit, ſuch coſts to be levied and recovered as coſts in civil bills.

Fraudulent conveyances.

XLI. *ſect.* 4. In caſe any of the ſaid perſons ſhall make over or diſpoſe of their ſubſtance, in order to evade the payment of their proportions, ſuch conveyance ſhall be looked on as fraudulent; and upon the complaint of the reſpective high conſtable, one of the neighbouring juſtices of the peace ſhall ſend their warrants for ſuch perſons, and commit them to gaol until they pay or give ſecurity for the payment of the money ſo applotted on them, ſubject to ſuch appeal as aforeſaid.

Pardon to diſcoverers.

XLII. *ſect.* 5. If any harbourer of tories or robbers ſhall detect any other two like harbourers, ſo as ſuch two ſhall be taken and convicted by his means, then the harbourer ſo detecting the other two, ſhall be diſcharged and pardoned for all his former crimes of harbouring only.

Preſentments to be at the next aſſiſes only.

XLIII. *ſect.* 7. Every preſentment for any robbery to be hereafter made by virtue of this or the former act, ſhall be at the next aſſiſes after ſuch robbery committed, and not at any other aſſiſes afterwards, unleſs ſuch robbery ſhall be committed ſo near to the time of holding ſuch aſſiſes, that no due notice can be given of ſuch robbery before the firſt day of ſuch next aſſiſes, according to the direction of this and the former acts, in which caſe it ſhall be lawful for the perſon robbed to prefer his petition, and to obtain ſuch preſentment at the next aſſiſes, after ſuch due notice ſhall be given.

This act, ſo far as it is not altered by Stat. 6 Geo. 1. cap. 12. *is continued by* Stat. 29 Geo. 2. cap. 8. ſect. 2. *with the alterations and additions, made by* Stat. 9 Geo. 2. cap. 6. *for twenty one years, from the end of that ſeſſion of parliament,* (29 Geo. 2.) *and to the end of the then next ſeſſion.*

Diſcovering robbers or burglars.

XLIV. *Stat.* 4 *Geo.* 1. *cap.* 9. *ſect.* 13. If any perſon who ſhall commit any robbery or burglary, ſhall while he is at large, or before he is apprehended for ſuch offence, make diſcovery of any one or more of ſuch robbers, tories or rapparees, being alſo at large and not in cuſtody, ſo as ſuch robber, tory or rapparee ſhall thereupon be apprehended and convicted for ſuch offence, or ſhall kill any one of ſuch tories or robbers, who ſhall be indicted and proclaimed according to the former act, and ſhall be out on their keeping at the time of their being killed, ſuch perſon ſo making ſuch diſcovery, apprehending and convicting, or killing any one of ſuch robbers or tories as aforeſaid, ſhall not be proceeded againſt for any robbery or burglary by him committed before making ſuch diſcovery, apprehending and convicting, or ſuch killing as aforeſaid, but ſhall have his Majeſty's pardon for the ſame,

which

which pardon ſhall in ſuch caſe alſo be a good bar to any appeal to be brought for ſuch robbery or burglary.

This act, ſo far as it relates to the apprehending and killing of proclaimed tories and robbers, is continued by Stat. 29 Geo. 2. cap. 8. ſect. 2. *from the end of that ſeſſion of parliament, for twenty one years, and to the end of the then next ſeſſion.*

XLV. *Stat.* 6 *Geo.* 1. *cap.* 12. *ſect.* 6. Where any preſentment ſhall hereafter be made for any money *to perſons robbed*, the grand-jury who make ſuch preſentment ſhall at the time of ſo doing, name the perſons againſt whom execution ſhall iſſue, of the barony or adjacent barony where the robbery was committed. Grand jury to name, &c.

(2) Which money ſo to be raiſed ſhall be applotted by the high conſtables of the ſeveral baronies equally on the holdings and poſſeſſions, as well of thoſe proteſtants and papiſts who are not inhabitants within the ſaid county, as of thoſe who are reſident therein, which applotment ſhall be made with all convenient ſpeed, ſo that it may be laid before and approved by the juſtices of the peace at the next quarter-ſeſſions after ſuch preſentment made, and after their approbation thereof execution ſhall iſſue againſt the perſons or their goods, who ſhall be named by the grand jury for paying the money ſo preſented. Applotment by high conſtables.

XLVI. *ſect.* 7. Provided, ſuch perſon ſo preſented be not taken into actual execution until forty one days after ſuch money ſhall be ſo applotted and confirmed by the juſtices, as is herein before appointed. Reſpite of execution.

XLVII. *ſect.* 8. It ſhall be lawful for any grand-jury to raiſe as a reward for the taking and apprehending of any tory, robber, or rapparee who ſhall be proclaimed, any ſum not exceeding twenty pounds, whether ſuch tory, robber or rapparee ſhall be taken or convicted in the ſame, or in any other county. Rewards for taking robbers.

XLVIII. *ſect.* 9. Before any grand-jury ſhall preſent any perſon to be a tory, robber or rapparee, out upon his keeping, examinations ſhall be taken before ſome juſtice of the peace upon oath, which examination ſhall be lodged with the clerk of the crown or peace for the county or place where ſuch perſon ſhall be preſented, and a copy thereof ſhall be certified, together with the preſentment, to the chief governors and council, before the perſon ſo preſented ſhall be proclaimed. Examinations on oath.

This act is continued by Stat. 29 Geo. 2. cap. 8. ſect 2. *for twenty one years, from the end of that ſeſſion of parliament, and to the end of the then next ſeſſion.*

XXX. *Stat.* 8 *Geo.* 1. *cap.* 9. *ſect.* 3. Where any murder or robbery ſhall be committed in the ſtreets of the city of Dublin, or in other counties of cities, or counties of towns, or the liberties thereunto belonging or adjoining, or in the highway of any county, a reward not exceeding twenty pounds ſhall be given to ſuch perſons as ſhall apprehend ſuch murderer or robber, ſo as he or ſhe ſhall be convicted thereof, the ſame to be raiſed by preſentment of the grand-juries of ſuch counties of cities, and counties of towns, or county at large, where ſuch fact ſhall be committed, and the money ſo to be raiſed, to be applotted and levied as other public money, to be diſtributed between the perſons claiming ſuch reward, in ſuch proportion as to the judges or juſtices before whom ſuch murderers or robbers ſhall be convicted, ſhall ſeem reaſonable, and be certified under their hands. Reward for apprehending murderers, &c.

XLIX. *ſect.* 5. In caſe any perſon be killed in purſuit or apprehending any of the offenders aforeſaid, the executors or adminiſtrators of ſuch perſons, or the perſons to whom the right of adminiſtration of the perſonal eſtate of ſuch perſons ſo killed ſhall belong, ſhall be intitled to twenty pounds, to be raiſed by preſentment of the grand juries of ſuch counties where the fact was committed. Perſons killed in purſuit.

L. *ſect.*

Receiving or harbouring felons.

L. *ſect.* 6. Whoever ſhall receive, harbour or conceal, any robbers or felons ordered to be tranſported, and who after ſuch order for tranſportation ſhall eſcape, or be at large in this kingdom without ſome lawful cauſe, before the expiration of the term for which ſuch robbers or felons ſhall be ordered to be tranſported, knowing them to be ſuch, and ſhall be thereof legally convicted, ſuch offender ſhall ſuffer death as a felon convicted, without benefit of clergy, or of the ſtatute of the ninth year of Queen Anne.

This act is continued by Stat. 29 Geo. 2. cap. 8. ſect. 2. *for* 21 *years, from the end of that ſeſſion of parliament, and to the end of the then next ſeſſion.*

Robberies by privateers.

LI. *Stat.* 9 *Geo.* 2. *cap.* 6. *ſect.* 5. All robberies committed by privateers during the time of war with any popiſh ſtate or prince, and loſſes ſuſtained thereby by any perſons, ſhall be preſented at the next general aſſiſes for the county where ſuch robbery ſhall be committed, by the grand-jury of ſuch county, after due notice given thereof according to the laws already in being, in caſes where perſons are robbed.

Orders at aſſizes.

(2) And after ſuch preſentment, ſuch orders ſhall be made at aſſizes for the relief of perſons ſo robbed by privateers, and for the reimburſing them ſuch loſſes, and for applotting and levying the ſame on the lands, goods and chattels of all the popiſh inhabitants of the county where ſuch robbery ſhall be committed, in the ſame manner as money is to be levied for robberies by tories, robbers, or rapparees, who are papiſts, by any law now in being.

This act is continued by Stat. 29 Geo. 2. cap. 8. ſect. 2. *for* 21 *years, from the end of that ſeſſion of parliament, and to the end of the then next ſeſſion.*

Reward for proſecuting.

LII. *Stat.* 17 *Geo.* 2. *cap.* 6. *ſect.* 4. A ſum not exceeding five pounds, ſhall be given as a reward to any who ſhall apprehend and proſecute to conviction any perſon guilty of robbery in any part of this kingdom, for which no reward was given by any former law before the making the ſaid act of parliament, which ſum ſhall be raiſed by preſentments of the grand-jury at the aſſiſes of the county wherein ſuch robbery ſhall be committed, as other county charges are raiſed, or at the quarter-ſeſſions for the county of Dublin, or county of the city of Dublin reſpectively, if ſuch robbery ſhall be committed there.

Aſſau'ting with intent to rob.

LIII. *Stat.* 21 *Geo* 2. *cap.* 12. *ſect.* 1. If any perſon ſhall with any offenſive weapon or inſtrument aſſault, or ſhall by menaces, or in any forcible manner, demand any money, goods or chattels from any perſon, with intent to rob ſuch perſon, and every perſon ſo offending, being thereof convicted, ſhall be adjudged guilty of felony, and ſhall be liable to be tranſported as in caſes of felony, and the courts before whom they ſhall be convicted, ſhall have power of tranſporting ſuch offenders for ſeven years, in like manner as other felons may be tranſported to any of his Majeſty's colonies or plantations in America, by any law for that purpoſe now in being.

Returning from tranſportation.

LIV. *ſect.* 2. If any ſuch offender ordered for tranſportation by virtue of this preſent act, ſhall break gaol or eſcape before ſuch tranſportation, or ſhall return into any part of Great Britain or Ireland before the expiration of the ſaid ſeven years, ſuch perſons being thereof convicted, ſhall ſuffer death as felons without benefit of clergy.

Continuation of former acts, for 21 years.

LV. *Stat.* 29 *Geo.* 2. *cap.* 8. *ſect.* 2. One act of parliament, 7 Will. 3. cap. 21. *for the better ſuppreſſing of tories, robbers,* &c. and alſo one other act, 9 Will. 3. cap. 34. *to ſupply the defects of an act for the better ſuppreſſing of tories, robbers,* &c. and alſo

alſo one other act, 6 Ann. cap. 11. *for explaining and amending two ſeveral acts againſt tories, robbers,* &c. and ſo much of one other act, 4 Geo. 1. cap. 9. *for reviving, continuing, and amending ſeveral ſtatutes, heretofore temporary,* &c. as relates to the apprehending and killing proclaimed tories or robbers, ſo far as the ſaid acts, or any of them, are not altered or changed by an act, 6 Geo. 1. cap. 12. *for continuing and amending ſeveral laws for ſuppreſſing tories, robbers,* &c. and alſo one other act, 8 Geo. 1. cap. 9. *for amending an act,* &c. *for ſuppreſſing tories, robbers,* &c. and ſo much of an act, 3 Geo. 2. cap. 4. *for the more effectual preventing, and further puniſhment of forgery,* &c. and alſo ſo much of an act, 9 Geo. 2. cap. 6. *for continuing and amending ſeveral ſtatutes near expiring,* as alters or adds to any of the aforeſaid acts, and all the powers, proviſoes and penalties in the ſaid acts, together with the alterations and additions made by the ſaid act, 9 *Geo.* 2. *cap.* 6. ſhall be in force from the end of this ſeſſion of parliament for twenty one years, and from the expiration of the ſaid term, to the end of the then next ſeſſion of parliament.

Rome.

I. *Eng. Stat.* 27 *Edw.* 3. *ſt.* 1. *cap.* 1. *ſect.* 1. All the people of the King's ligeance, which draw any out of the realm in plea, whereof the cognizance pertaineth to the King's court, or of things whereof judgments be given in the King's court, or which ſue in any other court, to defeat or impeach the judgments given in the King's court, ſhall have day containing the ſpace of two months by warning to be made them in the place where the poſſeſſions be, or where they have lands, by the ſheriffs, or other the King's miniſters, to be before the King and his council, or in his chancery, or before the King's juſtices of the one bench, or the other, or before other the King's juſtices, to anſwer in their proper perſons to the King of the contempt done. Pleas out of the realm.

And if they come not at the day in their proper perſons, they, their procurators, attorneys, executors, notaries, and maintainers, ſhall be put out of the King's protection, and their lands and goods forfeit to the King, and their bodies ſhall be impriſoned and ranſomed at the King's will, and a writ ſhall be made to take them by their bodies, and to ſeize their lands, goods, and poſſeſſions, into the King's hands. And if it be returned that they be not found, they ſhall be put in *exigent,* and outlawed. Penalties.

II. *Eng. Stat.* 16 *Ric.* 2. *cap.* 5. *ſect.* 2. If any purchaſe or purſue in the court of Rome or elſewhere, any tranſlations, proceſſes, and ſentences of excommunications, bulls, inſtruments, or other things, which touch the King againſt him, his crown, or his realm, and they which bring within the realm, or them receive, or make thereof notification, or any other execution within the realm, or without, their notaries, procurators, maintainers, abettors, fautors, and counſellors, ſhall be put out of the King's protection, and their lands and goods forfeit to the King, and they ſhall be attached by their bodies, and brought before the King and his counſel to anſwer to the caſes aforeſaid, or proceſs ſhall be made againſt them by *præmunire facias,* as it is ordained in other ſtatutes of proviſors. Proceſſes in the court of Rome. *Præmunire.*

The ſeveral ſtatutes under this head relative to proviſors are now obſolete.

III. *Stat.* 28 *Hen.* 8. *cap.* 19. *ſect.* 2. No perſon of this realm, or of any other *the King's* dominions, ſhall pay any penſions, cences, portions, peterpence, or any other impoſitions to the uſe of the biſhop, or of the ſee of Rome; but all ſuch penſions and peterpence, which the biſhop of Rome, otherwiſe called the pope, hath heretofore Paying penſions, &c. to Rome.

heretofore taken, or cauſed to be taken to his uſe, and his chambers which he calleth apoſtolic, by uſurpation and ſufferance within this realm, or any other *the King's* dominions, ſhall ſurceaſe, and nevermore be levied nor payed.

Suing for licences to the pope.

IV. *ſect.* 3. Neither *the* King, nor any ſubjects of this realm, nor any of any other *the King's* dominions, ſhall ſue to the ſaid biſhop of Rome called the pope, or to the ſee of Rome, or to any perſons pretending any authority by the ſame for licences, diſpenſations, faculties, reſcripts, delegacies, or any other inſtrument. *Eng. Stat.* 25 *Hen.* 8. *cap.* 21.

Repeal of the acts of Philip and Mary.

V. *Stat.* 2 *Eliz. cap.* 1. *ſect.* 2. The act made in the third and fourth years of the reigns of King Philip and Queen Mary, *repealing all eſtatutes, articles, and proviſions made againſt the ſee apoſtolic of Rome, ſithence the twentieth year of King Henry the eighth, and alſo for the aboliſhment of ſpiritual and eccleſiaſtical poſſeſſions and hereditaments conveyed to the laity*, and every clauſe therein, other than ſuch clauſes as hereafter ſhall be excepted, ſhall be repealed, and one eſtatute made in the eight and twentieth year of King Henry the eighth, intituled, *The act of appeals*, and alſo one act made in the ſaid parliament, intituled, *The act of faculties*, ſhall be revived.

Act for marriages.

VI. *ſect.* 3. So much only of one act made in the thirty third year of the reign of King Henry the eighth, intituled, *An act for marriage*, as doth concern degrees of conſanguinity, *ſhall* be revived.

Acts not revived.

VII. *ſect.* 4. All other ſtatutes, and the clauſes of any eſtatute repealed and made void by the ſaid act of repeal made in the time of the ſaid King Philip and Queen Mary, and not in this preſent act ſpecially mentioned and revived, ſhall remain, and be repealed in ſuch manner as they were before the making of this act. *Eng. Stat.* 1 *Eliz. cap.* 1.

The act 28 Hen. 1. cap. 13. *in this kingdom, againſt the authority of the biſhop of Rome, is repealed by a ſtatute* 3 & 4 Phil. & Mar. *and therefore omitted, though it remains in the collection of the printed ſtatutes at large, as now in force.*

Safe conduct.

Clauſe *vidimus*.

I. *Eng. Stat.* 15 *Hen.* 6. *cap.* 3. The keepers of the great and privy ſeal ſhall not ſuffer the clauſe *vidimus* to be put in any ſafe conduct, unleſs ſome great cauſe move the King to grant the ſame in ſuch wiſe; and in all ſafe conducts to be granted to any perſons, the names of them, of the ſhips, and of the maſters, and the number of the mariners, with the portage of the ſhips, ſhall be expreſſed.

Patent of ſafe conduct.

II. *Eng. Stat.* 18 *Hen.* 6. *cap.* 8. Merchants aliens may load ſhips of Spain and other parts, adverſaries and enemies of the King, if the maſters or merchants of ſuch ſhips have letters patent of the King of his ſafe conduct, making mention of the name of the ſhips and of the maſter, and if any ſuch ſhips charged with any merchandiſes of ſuch merchants be taken upon the ſea by the King's people, not having the King's letters patent within the board of ſuch ſhips at the day of the taking, nor that ſuch letters patent be in the chancery inrolled, the takers may enjoy the ſame.

Inrolment in chancery.

III. *Eng. Stat.* 20 *Hen.* 6. *cap.* 1. *ſect.* 2. All letters of ſafe conduct to be granted to the King's enemies or other, ſhall be inrolled in chancery before ſuch letters be delivered; and all letters of ſafe conduct, not inrolled before delivery ſhall be void.

Enemies ſhips.

IV. *ſect.* 3. If any goods be taken by the ſubjects of the King upon the ſea, charged in any ſhip belonging to enemies, not having letters of ſafe conduct inrolled, they that take the goods ſhall them enjoy.

V. *ſect.*

Safe conduct.

V. *ſect.* 4. The ſubjects taking ſuch ſhips, not having letters of ſafe conduct within the ſame ſhips, and bringing them within the realm, ſhall not be endamaged for ſuch taking, if they be ready to make reſtitution within reaſonable time after knowledge is made to them of the letters of ſafe conduct inrolled in chancery before the taking. Reſtitution of ſhips.

VI. *Eng. Stat.* 31 *Hen.* 6. *cap.* 4. If any ſubjects attempt to offend upon the ſea, or in any port under the King's obeiſance, againſt any ſtrangers in amity, league or truce, or by ſafe conduct, and ſpecially in attaching of any ſuch ſtrange perſon, robbing of him, his ſhip or goods, or againſt any of his liege people, the chancellor, as well for the deliverance of any ſuch perſon, as for reſtitution of ſhip or goods, ſhall have authority, calling to him any of the juſtices upon bills of complaint to make proceſs out of the chancery, as well againſt ſuch offenders, as againſt any other perſons, to whoſe hands ſuch perſon, ſhip or goods ſhall come, as for the deliverance and reſtitution of the ſame perſon, ſhip and goods, and further to proceed to make the ſtrangers grieved to have full deliverance and reſtitution, and alſo their coſts and loſſes. Offences on the ſea. Proceſs out of chancery.

Sail cloth.

I. *Stat.* 3 *Geo.* 3. *cap.* 34. *ſect.* 139. *Whereas divers perſons to evade the paying of duty for foreign ſail-cloth brought into this kingdom, make the ſame up into ſails on board their ſhips, and frequently ſell the ſame to other ſhips in the ſame port; and often great quantities of ſuch foreign ſail-cloth are run, and immediately after to conceal the ſame, are made up into ſails: for remedy whereof*, all new ſails made of foreign ſail-cloth, found on board any ſhip or boat, except what are for the uſe of ſuch ſhip or boat, ſhall be liable to the ſame duty as if in pieces. For ign ſail-cloth.

(2) And if ſuch ſails ſhall be landed or put on board any other ſhip or boat, without having firſt paid the duty, the ſame ſhall be forfeited, one moiety to his Majeſty, and the other to ſuch perſons as ſhall give information thereof to the commiſſioners or ſub-commiſſioners of his Majeſty's revenue, who are hereby impowered to examine and condemn the ſame, in the ſame manner as is directed in the act of exciſe, with the like liberty of appeal as is therein mentioned. Forfeiture if landed without duty.

Salt.

I. *Eng. Stat.* 1 *Ann. ſtat.* 1. *cap.* 21. *ſect.* 11. No debenture ſhall be made, or drawback allowed, for the exportation of any ſalt, or rock-ſalt for Ireland, until the exporter ſhall produce to the officer a certificate of the collector of the cuſtoms of the port in Ireland where ſuch ſalt ſhall be landed, of the quantity of ſalt landed, after the rate of 56 pounds to the buſhel, in caſe the ſame be Engliſh white ſalt, and 65 pounds to the buſhel, in caſe the ſame be Engliſh rock-ſalt, and 84 pounds to the buſhel, in caſe the ſame be foreign ſalt, which ſalt and rock-ſalt is required to be weighed by the collectors, and the certificate to be made gratis. No drawback. Salt to be weighed.

II *Eng. Stat.* 2 & 3 *Ann. cap.* 14. *ſect.* 1. No ſalt of the produce of England, Scotland or Ireland, nor any other ſalt coming from Ireland, Scotland, or the iſle of Man, ſhall be imported into England, upon pain that all the ſalt ſo imported, &c. ſhall be forfeited, and that the ſhip ſhall alſo be forfeited; and every perſon that ſhall take any ſalt out of ſuch ſhip, or carry the ſame on ſhore, or convey the ſame from the ſhore, or be aſſiſting therein, ſhall forfeit 20l. or ſuffer ſix months impriſonment. Imported into England.

III. *ſect.* 2. It ſhall be lawful for any of the officers for the duties upon ſalt, within two months after the landing any ſuch ſalt, to ſeize the ſalt, and alſo the ſhip; Seizure of ſalt and ſhip.

and in caſe the owner of ſuch ſalt or ſhip ſhall not within twenty days claim the ſalt and ſhip, and give ſecurity to anſwer the value, the ſalt and ſhip ſhall be ſold.

Entry and payment of duty.

IV. *ſect.* 6. Where any ſhip ſhall come into any port of England from Ireland, or other foreign part, having on board any ſalt which was taken in only for the proviſion of the ſhip, or for curing of fiſh, it ſhall be lawful to land the ſalt, ſo as entry be made thereof within ten days after coming into port, and the duties paid down or ſecured before any part thereof be landed.

Salt to be weighed.

V. *Stat.* 4 *Ann. cap.* 14. *ſect.* 11. No retailer or perſon making or dealing in white ſalt, or buying white ſalt to ſell again, ſhall ſell, exchange, or diſpoſe of any ſuch ſalt, otherwiſe than by weight, and if the ſalt ſo ſold be of the quantity of a buſhel or more, it *ſhall* be at the rate of ſix and fifty pounds weight to the buſhel, and ſo in proportion; and every perſon offending therein, ſhall for every ſuch offence forfeit any ſum not exceeding five ſhillings to him who ſhall proſecute for the ſame, to be recovered by diſtreſs or ſale of the goods of the offender, by warrant of a juſtice of the peace, or other chief magiſtrate; and for want of goods ſufficient to pay the ſame, to be ſet in the ſtocks for two hours.

One juſtice to determine, offences

VI. *ſect.* 12. The forfeitures and offences made and committed againſt this act as to the ſelling of ſalt, ſhall be determined by any one juſtice of the peace of the county, or by the chief magiſtrate of the town where ſuch forfeiture ſhall be made, or offence committed, who are required to determine the ſame, upon the confeſſion of the party accuſed, or by the oath of one credible witneſs, and if the party finds him or her ſelf aggrieved by the judgment given by ſuch juſtice or magiſtrate, the ſaid party may appeal to the juſtices of the peace at the next quarter-ſeſſions whoſe determination therein ſhall be concluſive.

Duties to be paid by weight.

VII. *ſect.* 13. All white ſalt imported ſhall pay her Majeſty's duties by weight, and not by meaſure, fifty ſix pounds of white ſalt ſhall be accounted a buſhel, and the ſame duty ſhall be paid for every fifty ſix pounds weight of white ſalt, as is now payable for a buſhel, and ſixty five pounds of rock ſalt ſhall be accounted a buſhel, and the ſame duty ſhall be paid for every ſixty five pounds of rock-ſalt as is now payable for a buſhel of rock-ſalt.

This act is made perpetual by Stat. 6 *Ann. cap.* 12. *ſect.* 1.

Certificate of loſs of ſalt.

VIII. *Eng. Stat.* 4 & 5 *Ann. cap.* 12. *ſect.* 11. Where any ſalt or rock-ſalt ſhall be ſhipped for exportation to Ireland, and the ſame ſhall periſh by ſinking of the ſhip or be taken by enemies, the exporter or proprietor ſhall, upon proof made at the quarter-ſeſſions for the county or place from whence the ſame was exported, receive a certificate, and upon producing the certificate to the officer of the place where the duty ſhall have been paid or ſecured, ſuch ſecurity ſhall be diſcharged, and ſo much money as was paid for the duty, ſhall be repaid upon demand by the officer without fee, the proof to be made within ſix months after ſuch loſs.

Entry at exportation.

IX. *Eng. Stat.* 5 *Ann. cap.* 29. *ſect.* 13. There ſhall be no debenture made out, or drawback allowed for any ſalt landed in Ireland, unleſs the entry of the ſalt at exportation be made for ſome port in Ireland.

Allowance for waſte.

X. *ſect.* 14. Upon producing ſuch certificate, as is by law required, from the collector and proper officers of the port in Ireland, of the quantity of white ſalt and rock-ſalt there landed, the exporter or proprietor ſhall have an allowance of four buſhels for every forty of white ſalt, and of two for every forty of rock ſalt, put on board in England to be exported to Ireland, in conſideration of the waſte; and debentures ſhall be iſſued *gratis* accordingly, and the ſame ſhall be allowed or paid in like manner as debentures are payable for ſalt exported.

XI. *Brit*

XI. *Brit. Stat.* 9 *Ann. cap.* 23. *ſect.* 44. During thirty two years there ſhall be paid to her Majeſty nine ſhillings for every ton of rock-ſalt put on board any ſhip in Great Britain, and exported to Ireland, over and above the preſent duties, to be paid by the exporter upon entry out for exportation, to the officer of the port where ſuch rock-ſalt ſhall be put on board; and before any cocket ſhall be granted for the ſame; and the officer ſhall ſign a certificate or receipt for ſuch money as ſhall be paid by ſuch exporter. Duty on rock-ſalt.

Made perpetual, 3 Geo. 1. cap. 7.

XII. *ſect.* 45. No drawback ſhall be allowed for duties formerly granted on rock-ſalt which ſhall be landed in Ireland, unleſs ſuch receipt for the duty hereby granted, ſhall be firſt delivered up to the officer authorized to allow ſuch drawback. Allowance of drawback.

XIII. *ſect.* 46. In caſe any ſhip carrying rock-ſalt to Ireland ſhall be loſt at ſea, or taken by the enemy, upon proof made thereof upon oath, and producing the receipt that the duty hereby granted was actually paid upon entry out in Great Britain, the officer who received the money ſhall repay the ſame without fee. Repayment of duty.

XIV. *Brit. Stat.* 5 *Geo.* 1. *cap.* 18. *ſect.* 18. If any maſter of a ſhip ſhall import into Great Britain from Ireland, &c. any ſalt taken in for the proviſions of the ſhip, or for curing of fiſh, ſhall not enter and pay, or ſecure the duty for the ſame within ten days after coming into any port, and before the ſame be landed, the ſalt ſo imported ſhall be forfeited, and the maſter or owner ſhall likewiſe forfeit double the value. Entry and ſecurity for duty.

XV. *Brit. Stat.* 5 *Geo.* 2. *cap.* 6. *ſect.* 5. No perſons who ſhall export ſalt, either foreign or Engliſh, or rock-ſalt, for which the duties ſhall have been paid, ſhall have any greater allowance for waſte on being carried to Ireland, and upon exportation, than what really was before paid for the duty of the ſaid ſalt, and no perſons giving bond for the duty, ſhall be intitled to any greater allowance for waſte than what ſhall diſcharge the bond. Allowance for waſte.

XVI. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 30. No ſalt of the produce or manufacture of Great Britain or Ireland, ſhall, after the twenty fourth day of June one thouſand ſeven hundred and ſixty ſix, be exported in any ſhip or veſſel of leſs burthen than one hundred tuns, and in bulk only, and not in bags or ſacks, and on the exportation of any ſalt of the produce or manufacture of Great Britain or Ireland, the merchant, exporter, or owner thereof, ſhall enter into a bond to his Majeſty, with ſufficient ſureties in the ſum of ſix ſhillings and eight pence for every buſhel of ſalt (reckoning fifty ſix pounds to every buſhel) that ſhall be ſhipped or put on board ſuch ſhip or veſſel, with condition that the ſame, or any part thereof, ſhall be landed in Great Britain, or in the Iſle of Man, but that the ſame ſhall really and truly be exported for other parts beyond the ſeas. Exportation of ſalt.

(2) And a certificate of ſuch ſalt being landed at, or in ſome foreign port (Great Britain and the Iſle of Man excepted) ſhall be returned within the ſpace of ſix kalendar months from the date of the ſaid bond, under the ſeal of office of the chief magiſtrate in any port or place beyond the ſeas (except as before excepted) or under the hand and ſeal of the Britiſh conſul reſiding at ſuch port or place, or under the hands and ſeals of two Britiſh merchants, then being at ſuch port or place, that ſuch ſalt was there landed; and on return of ſuch certificate, the ſaid bond ſhall be void, and ſhall be delivered up without fee or reward to the obligors, their executors, or adminiſtrators, to be cancelled. Certificate of landing.

XVII. *ſect.* 31. *And in order to prevent frauds being committed by perſons ſhipping ſalt on board ſmall veſſels or boats, under pretence of carrying the ſame from one port, creek, or place in Ireland, to ſome other port, creek, or place in the ſame kingdom,* it *is* enacted, that no ſhip, veſſel, or boat, laden or partly laden with ſalt, with an intent to diſcharge or land the ſame in ſome other port or place within this realm, ſhall be ſuffered to depart from the port or place where ſhe ſhall take in her lading, until the maſter, purſer, or other perſon having charge of the ſaid veſſel, ſhall take and receive from the chief officer of the revenue of the ſaid port, or his deputy, a coquet, under the hand of ſuch officer, expreſſing the quantity of ſuch ſalt as ſhall be ſo ſhipped to be carried coaſt-wiſe.

Carried coaſtwiſe.

Bond for landing.

(2) And ſhall alſo enter into a bond to his Majeſty, with ſufficient ſureties in the ſum of ſix ſhillings and eight pence for every buſhel of ſalt, reckoning fifty ſix pounds to every buſhel, with condition that the ſame ſalt ſhall be delivered and diſcharged in the port or place to which the ſaid veſſel ſhall be deſtined, or in ſome other port or place within this kingdom, and not elſewhere (the danger of the ſeas excepted.)

Certificate to be returned.

(3) And that ſuch maſter, purſer, or other perſon having charge of ſuch veſſel, ſhall return a certificate of the landing thereof, within three kalendar months next enſuing the date of the ſaid coquet, under the hands and ſeals of the collector, cuſtomer, or comptroller of his Majeſty's cuſtoms, or their deputies, in the port or place where ſuch ſalt ſhall be landed or diſcharged.

Bonds to be delivered up.

(4) And after the return of ſuch certificate, the ſaid bonds ſhall be void, and be delivered up, without fee, to the reſpective obligors, their executors or adminiſtrators, to be cancelled.

Recovery of penalties.

XVIII. *ſect.* 32. The ſaid bonds to be entered into for the ſeveral purpoſes aforeſaid, ſhall be valid and effectual in the law, for the recovery of the penalties therein reſpectively contained.

Officers to take bonds.

(2) And the ſeveral collectors, cuſtomers, or comptrollers of his Majeſty's cuſtoms in this kingdom, in their reſpective ports or diſtricts, are required to take the ſame according to the directions herein before mentioned.

Loſs at ſea.

XIX. *ſect.* 33. Provided, that if ſuch ſalt ſo to be exported or ſhipped, or to be carried coaſtwiſe, or any part thereof ſhall periſh, or be loſt at ſea, or ſhall be taken by enemies or pirates at ſea, or ſhall be ſtranded, and that duly proved to the ſatisfaction of the chief commiſſioners of his Majeſty's revenue for the time being, or any three of them, the ſaid bonds ſhall thereupon be void and of no effect, and be delivered up without fee, to the reſpective obligors, their executors or adminiſtrators, to be cancelled.

For curing fiſh.

XX. *ſect.* 34. Provided alſo, that nothing in this act ſhall extend to any ſalt that ſhall be ſhipped or put on board any boat, veſſel, or buſs, for the ſalting or curing fiſh at ſea, but ſhall be lawful for any fiſherman to ſhip and take on board any boat, veſſel, or buſs, any quantity of ſalt, for the purpoſe aforeſaid, ſo as oath be firſt made before ſome one of the officers of the cuſtoms of the port or place where ſuch ſalt ſhall be ſhipped (which oath the ſaid officer of the cuſtoms is directed to adminiſter without fee) that the particular quantity of ſalt which ſhall be ſo ſhipped or put on board, is not intended to be landed in any part of Great Britain or the Iſle of Man, but is really and truly, without fraud or deceit, intended for the ſalting or curing of fiſh at ſea, or in ſome harbour, port, or creek in this kingdom.

Proviſions for ſhips.

XXI. *ſect.* 35. Provided alſo, that nothing in this act ſhall extend to prohibit the lading of ſo much ſalt as ſhall be neceſſary for the proviſion of the company, or crew of any ſhip or veſſel for their voyage, or for the curing of fiſh.

Schools.

I. *Stat.* 28 *Hen.* 8. *cap.* 15. *ſect.* 7. Every biſhop, archdeacon, commiſſary, and other having authority to admit, collate, inſtitute, or induct to any dignity, benefice, office or promotion ſpiritual, ſhall, at the time of the admiſſion, inſtitution, inſtallation, collation and induction of ſuch perſons to any dignity, benefice, office or promotion ſpiritual, give unto the ſaid perſons a corporal oath that they ſhall endeavour to learn, inſtruct, and teach the Engliſh tongue to all under his cure or governance, and in like wiſe ſhall bid the beads in the Engliſh tongue, and preach the word of GOD in Engliſh, if he can preach, and alſo for his own part ſhall uſe and exerciſe the Engliſh order and habit, and provoke as many as he may to the ſame, and alſo ſhall keep, or cauſe to be kept within the place or paroch where he ſhall have benefice or promotion, a ſchool for to learn Engliſh, if any children of his paroch come to him to learn the ſame, taking for the keeping of the ſame ſchool ſuch convenient ſtipend or ſalary, as in the ſaid land is accuſtomably uſed to be taken. Oath to keep a ſchool.

II. *ſect.* 8. If any biſhop, or other having authority to give orders, or having authority to collate, inſtitute, admit, inſtall, or induct to any dignity, benefice, office or promotion ſpiritual, do give orders to any perſon without giving the oath aforeſaid, or do admit, collate, inſtitute, inſtall, or induct any perſon to any dignity, benefice, office, or promotion ſpiritual, without giving to ſuch perſons ſuch corporal oath, every ſuch biſhop, ordinary, &c. ſhall forfeit for every time offending againſt this ſtatute 3 l. 6 s. 8 d. the one moiety to the King, the other moiety to that perſon that will ſue for the ſame. Penalty for ſuch omiſſion.

III. *ſect.* 9. If any perſons promoted, collated, inſtituted, inſtalled, or inducted in any dignity, benefice, office or promotion ſpiritual, do not obſerve and fulfil the tenor and effect of the ſaid oath, ſuch perſons, upon condemnation thereof by due proceſs of the law, ſhall forfeit for the firſt time 6 s. 8 d. and if ſuch perſons be eftſoons lawfully condemned for like offence, then he ſhall forfeit 20 s. and if the third time he be lawfully condemned for like offence, then ſuch dignity, benefice, office or promotion ſpiritual, which ſuch perſons have, where ſuch offence is committed, ſhall be adjudged to be void, and it ſhall be lawful to them to whom the right of nomination, collation, preſentation, election, or gift thereof ſhall appertain, to nominate, collate, preſent, elect or give the ſame to any other ſufficient perſons, in like manner as though the incumbent had died. Penalties on incumbents neglecting.

IV. *ſect.* 10. Provided that this act extend not, or be prejudicial to perſons which ſhall be beneficed within this land, being bound to keep reſidence in any metropolitan cathedral, or collegiate church, neither to any perſons ſo beneficed, which ſhall be at ſtudy in any univerſity, either being in the King's ſervice, or otherwiſe out of the land by the King's commandment, but that ſuch paroch prieſts which ſhall have the ſervice of any paroch church under them, ſhall during their abſence teach the Engliſh tongue, and keep a ſchool according to the form of this act, upon pain of forfeiture to every ſuch paroch prieſt of 20 s. for every year that he ſhall omit the ſame. Saving to dignitaries, ſtudents, &c.

V. *Stat.* 12 *Eliz. cap.* 1. *ſect.* 1. There ſhall be a free-ſchool within every dioceſe of Ireland, and the ſchool-maſter ſhall be an Engliſhman, or of the Engliſh birth of this realm, and the archbiſhop of Armagh, the archbiſhop of Dublin, the biſhop of Meath, and the biſhop of Kildare, and their ſeveral ſucceſſors, ſhall have the nomination, inſtitution, and appointment of the ſchool-maſters within their ſeveral dioceſes, that is to ſay, every of them in his own dioceſe. And the lord deputy or governors of this realm ſhall have the appointment of all the ſchool-maſters for the other dioceſes, the four dioceſes before named excepted. Dioceſan free-ſchools.

VI. *ſect.*

Houſes to be built.

VI. *ſect.* 2. The ſchool-houſe for every dioceſe to be erected in the principal ſhire-town of the dioceſe, where ſchool-houſes be not already builded at the charges of the whole dioceſe, by the deviſe and overſight of the ordinaries of the dioceſe, or of the vicars general, *ſede vacante*, and the ſheriff of the ſhire.

Salaries for the maſters.

VII. *ſect.* 3. And the lord deputy or governors of this realm, with the advice of the council, or more number of them, ſhall according to the quality and quantities of every dioceſe, appoint for every ſchoolmaſter ſuch yearly ſalary, where none is already appointed, as he with their advice ſhall think convenient, whereof the ordinaries of every dioceſe ſhall bear yearly for ever the third part, and the parſons, vicars, prebendaries, and other eccleſiaſtical perſons of the ſame dioceſe, ſhall pay the other two parts by an equal contribution to be made by the ordinaries.

All livings to be charged.

VIII. *ſect.* 4. All churches, parſonages, vicarages, and other eccleſiaſtical livings, that have come by any title to the poſſeſſion and ſeiſin of the Queen, or any of her Progenitors, ſhall be charged to this payment and contribution, in whoſe hands or poſſeſſion ſomever the ſame ſhall come.

Statutes to be ſtrictly executed.

IX. *Stat.* 7 *Will.* 3. *cap.* 4. *ſect.* 10. One act of parliament made in the twenty eighth year of King Henry the eighth, called *an act for the Engliſh order, habit, and language*, whereby it is enacted, that every incumbent of each pariſh within this Kingdom, ſhall keep or cauſe to be kept within the place or pariſh where he ſhall have benefice or promotion, a ſchool to learn Engliſh; and alſo one other act made in the twelfth year of Queen Elizabeth, intitled *an act for the erection of free-ſchools*, whereby it is provided that a public *latin* free-ſchool ſhall be conſtantly maintained within each dioceſe of this kingdom, which have generally been kept, but have not had the deſired effect, by reaſon of Iriſh popiſh ſchools being too much connived at, and all other ſtatutes now in force concerning ſchools, ſhall be ſtrictly put in execution.

Acts to be given in charge.

(2) And for the more effectual doing thereof, the juſtices of his Majeſty's court of King's-bench each term, and the judges of aſſiſe in their reſpective circuits, and the juſtices of peace in their general ſeſſions of peace are required to give this and the ſaid former acts in charge to the ſeveral grand-juries, and to be very circumſpect in ſeeing the ſame put in due execution. *See Tit.* **Papiſts.**

Wages of ſchool maſters.

X. *Stat.* 2 *Geo.* 1. *cap.* 17. *ſect.* 10. The like remedy *ſhall* be allowed to all licenſed ſchool-maſters and ſchool-miſtreſſes, for recovery of wages due to them for teaching children, as is by this act allowed to ſervants, artificers, &c.

Grants of land to ſchool-maſters.

XI. *Stat.* 8 *Geo.* 1. *cap.* 12. *ſect.* 10. For the better encouragement of Engliſh proteſtant ſchools which are much wanting in this kingdom, it ſhall be lawful for every archbiſhop and biſhop with ſuch conſent, and ſignified as mentioned *in this act*, *ſee Tit.* **Glebes**, &c. and alſo for every eccleſiaſtical perſon whatſoever, with the conſent of his archbiſhop or biſhop, ſuch conſent to be ſignified by certificate in writing under the hand and ſeal of ſuch archbiſhop and biſhop reſpectively, by deed under their reſpective hands and ſeals, ſuch deeds together with ſuch certificates of ſuch conſent as aforeſaid, to be inrolled as aforeſaid, to make an abſolute grant unto the church-wardens of each pariſh, and their ſucceſſors for ever, of any quantity of land to them belonging as glebe or otherwiſe, not exceeding two acres for an archbiſhop or biſhop, and one acre for any other perſon before mentioned, for the uſe of a reſident proteſtant ſchool-maſter to teach the Engliſh tongue, to be nominated by the perſon making ſuch a grant, and his ſucceſſors, and licenſed by the archbiſhop or biſhop of the dioceſe reſpectively.

XII. *ſect.*

XII. *ſect.* 11. No land ſo granted for the uſe of any ſchool-maſter, ſhall make them or any perſon deriving under them a freeholder to any intent or purpoſe. Not to give a freehold.

XIII. *Stat.* 12 *Geo.* 1. *cap.* 9. *ſect.* 1. It ſhall be lawful for every archbiſhop, biſhop, dean, dean and chapter, dignitary or prebendary of a cathedral church, out of any land to them in any wiſe belonging, by deed to be inrolled in the chancery, to ſet apart any piece of ground not exceeding one plantation acre, and lying near the cathedral church, or in ſome more convenient part of each dioceſe, to be approved of by the chief governors under their hand and ſeal for the uſe of the maſter of the free-ſchool of the ſaid dioceſe, and ſuch piece of ground ſo ſet out ſhall be the place for the free-ſchool of the ſaid dioceſe, and in every dioceſe until ſuch piece of ground ſhall be ſet out and appointed for the place of the free-ſchool, the ſaid free-ſchool may be kept in ſuch convenient place within the dioceſe, as the archbiſhop or biſhop of the ſame can procure either for a yearly rent or otherwiſe. Land for free-ſchools.

XIV. *ſect.* 2. Where in any dioceſe there already is a piece of ground legally appropriated to the uſe of a dioceſe-ſchool, ſuch ground ſhall for ever remain the place of the dioceſe-ſchool of the ſaid dioceſe. Place of the dioceſe-ſchools.

XV. *ſect.* 3. No money ſhall be raiſed for erecting of ſuch ſchool, until ſuch time as a place for the ſame, ſhall according to this act, or in ſome other ſufficient manner be appointed, and after ſuch appointment of a place for a free-ſchool within any dioceſe, it ſhall be lawful for the grand-jury of each county to preſent ſuch ſums of money as they ſhall find reaſonable, to be levied for their reſpective proportion towards the building or repairing ſuch dioceſe-ſchool, which ſums the preſentment being confirmed by the court ſhall be levied upon the whole, or ſuch part of the ſaid county as ſhall be ſituate in each reſpective dioceſe, in ſuch manner as other public money is levied upon preſentments made by grand juries. Money for building dioceſe-ſchools.

XVI. *ſect.* 4. When any money ſhall be levied toward the building of a free-ſchool in the manner herein mentioned, the ſame ſhall be paid by the treaſurer of the county into the hands of ſuch perſon as the grand-jury in their preſentment ſhall appoint, who ſhall account for the ſame upon oath, in ſuch manner and at ſuch time as the reſpective grand-juries ſhall in their preſentment appoint. Account upon oath.

XVII. *ſect.* 5. Every perſon being a beneficed clergyman, who by virtue of the act 12 *Eliz. cap.* 1. ſhall ſtand obliged to pay any part or proportion of the two third parts, ſhall yearly at the viſitation held for the proper dioceſe, account with the ſchool-maſter to whom the ſame ought to be paid, and pay whatever ſhall appear to be due unto him; and if he ſhall not accordingly pay what ſhall be ſo due within three calendar months after the day of ſuch viſitation, it ſhall be lawful for the archbiſhop, biſhop, vicar-general, or chancellor of the dioceſe, to ſequeſter the profits of the benefice belonging to ſuch clergyman for the payment thereof, until the ſame ſhall be levied or paid. Payment at the annual viſitation.

XVIII. *Stat.* 1 *Geo.* 2. *cap.* 15. *ſect.* 9. It ſhall be lawful for the archbiſhop of Armagh to appoint by certificate under his hand and archiepiſcopal ſeal, what part of the lands, granted by King Charles I. to James then lord archbiſhop of Armagh, and his ſucceſſors, in truſt for the maſters of ſeveral free-ſchools, belonging to any ſuch free-ſchool as is convenient for the reſidence of the maſter and his ſucceſſors, which from thenceforth ſhall be deemed as part of the demeſne of ſuch free-ſchool. Demeſnes of free-ſchools.

(2) And all improvements and repairs on any lands ſo certified, ſhall be under the ſame appointments and limitations as improvements and repairs made by eccleſiaſtical perſons on their glebes are under by *Stat.* 10 *Gul.* 3. *cap.* 6. and alſo by *Stat.* 12 *Geo.* 1. *cap.* 10. and ſuch maſter and his ſucceſſors, and their reſpective executors and adminiſtrators, ſhall receive from his and their reſpective immediate ſucceſſor and ſucceſſors, and his and their reſpective executors and adminiſtrators, ſuch Certificates for improvements.

proportion

proportion of the ſum by him and them expended for any improvements or repairs on the land ſo certified, and in ſuch manner as eccleſiaſtical perſons are by virtue of the ſaid acts intitled to receive for improvements on their glebes.

Exchanging lands.

XIX. *ſect.* 10. It ſhall be lawful for the ſeveral ſchool-maſters of ſuch free-ſchools, with the conſent of the archbiſhop of Armagh, certified under his hand and archiepiſcopal ſeal, to exchange with any archbiſhop, biſhop, or other perſon, lands belonging to the free-ſchool which lie inconvenient and at a diſtance from it, for ſuch quantity of lands of equal value, worth and purchaſe, lying convenient to the ſchool, as the archbiſhop of Armagh ſhall judge proper for a demeſne for the maſter of ſuch free-ſchool, in ſuch manner as by *Stat.* 2 *Ann. cap.* 10. is directed.

Payments limited.

XX. *ſect.* 11. Provided, that no ſchool-maſter ſhall be obliged to pay his predeceſſor, or the executors or adminiſtrators of his predeceſſor, by virtue of any certificates for building and improving ſuch glebe or demeſne granted in purſuance of this act, any greater ſums than the clear value of one year and a half's income ſo limited as aforeſaid.

Grants of land to ſchool maſters.

XXI. *Stat.* 5 *Geo.* 2. *cap.* 4. *ſect.* 10. It ſhall be lawful for all perſons ſeized in fee-ſimple, fee-tail, or for life in poſſeſſion in any lands with immediate remainder over to their own iſſue, by deeds to grant any part of ſuch lands, not exceeding one acre plantation meaſure, of the yearly value of thirty ſhillings, and being no part of the demeſne lands uſually occupied with, or reputed as demeſne to the manſion or chief dwelling-houſe belonging to ſuch tenant in fee-ſimple, fee-tail, or for life, for the uſe of a reſident proteſtant ſchool-maſter, to teach the Engliſh tongue to ſuch children of poor papiſts, and others as will reſort to the ſame; and the miniſter and church-wardens, and their ſucceſſors for ever of each pariſh where ſuch acre of land ſhall be ſo granted, ſhall be capable of receiving ſuch grants.

Not to vote at elections.

XXII. *ſect.* 11. No ſuch grantee ſhall be qualified to vote at the election of any member to ſerve in parliament as a freeholder by virtue of ſuch grant.

Recital of the act 12 G. 1.

XXIII. *Stat.* 29 *Geo.* 2. *cap.* 7. *ſect.* 1. *Whereas by an act,* 12 *Geo.* 1. *cap.* 9. *it is enacted, that after appointment of a place for a free-ſchool within any dioceſe, it ſhall be lawful for the grand-jury of each county, from time to time to preſent ſuch ſums of money as they ſhall find reaſonable to be levied for their reſpective proportion, towards the rebuilding or repairing ſuch dioceſe-ſchool, which ſhall be levied upon the whole, or ſuch part of the county as ſhall be ſituate in each reſpective dioceſe.*

Preſentments for repairs.

And whereas ſeveral dioceſes in this kingdom conſiſt of parts of ſeveral counties, and it is found by experience impracticable, when the ſum is ſmall, to levy ſuch proportionable preſentments as are required by the ſaid recited act; the grand-jury of each county, wherein a dioceſe-ſchool is ſituate, may at the aſſizes to be held for ſaid county, preſent ſuch ſums of money as they ſhall find reaſonable for the repairs of the ſaid ſchool; which ſums ſo preſented (the preſentment being confirmed by the court) ſhall be levied upon the county at large, in ſuch manner as other publick money is levied, upon preſentments made by grand juries.

Biſhops and eccleſiaſtical perſons.

XXIV. *Stat.* 5 *Geo.* 3. *cap.* 6. *ſect.* 17. *For the further encouragement of* Engliſh *proteſtant ſchools,* it *is* enacted, that it ſhall be lawful for every archbiſhop, and biſhop, and for every dean, archdeacon, dignitary, prebendary, rector, vicar, and eccleſiaſtical perſon whatſoever, with the conſent of the archbiſhop or biſhop of their reſpective dioceſe, ſignified under the hand and ſeal of ſuch archbiſhop and biſhop reſpectively, and for every perſon being ſeized of an eſtate for life, in poſſeſſion of any land, with immediate remainder over to his iſſue in tail, by deeds indented, to demiſe for any term of years or lives, with covenant of perpetual renewal, any quantity of land to them reſpectively belonging, not exceeding thirty acres plantation

Tenants for life

May grant thirty acres.

tion meaſure, to the incorporated ſociety and their ſucceſſors, reſerving a rent not leſs than the improved yearly value of the ſame, at the time of making ſuch demiſe, payable to thoſe who are, or ſhall be intitled to the freehold and inheritance thereof.

(2) And all grants ſo to be made, ſhall be good and effectual againſt the ſucceſſors of every ſuch archbiſhop, biſhop, dean, archdeacon, dignitary, prebendary, rector, vicar, and other eccleſiaſtical perſon reſpectively, and againſt all perſons claiming or to claim any eſtate, right, title, or intereſt in ſuch land, by virtue of any limitation, remainder, or reverſion expectant upon ſuch eſtate for life. Good againſt ſucceſſors.

XXV. *ſect.* 18. Provided that in caſe the ſaid lands and premiſes ſo demiſed ſhall not be applied and made uſe of for the benefit and ſupport of the charter-ſchools or nurſeries, or ſome of them that are or ſhall be erected and eſtabliſhed by ſaid ſociety, ſuch demiſe ſhall be abſolutely null and void. Void unleſs made uſe of.

Seamen.

I. *Eng. Stat.* 2 *Ric.* 2. *cap.* 4. If mariners after they are arreſted and retained for the ſervice of the King, and have received their wages, fly from the ſervice without the leave of the admirals, or their lieutenants, the ſame being proved and found before the admiral or his lieutenant, the mariners ſhall be obliged to reſtore their wages double to the King, and be impriſoned for one year. And all ſheriffs, mayors, and bailiffs, upon certificate of the admirals or their lieutenants of ſuch proofs being made, ſhall take ſuch mariners and put them in priſon, until they have the King's command for their deliverance. And the like puniſhment ſhall be done of ſerjeants at arms, maſters of ſhips, and all others who ſhall be attainted by inquiry before the admiral or his lieutenant, that they have taken any thing from the mariners to let them go, after they have been arreſted for the ſervice. Deſertion of the ſervice.

II. *Eng. Stat.* 7 & 8 *Will.* 3. *cap.* 21. *ſect.* 10. Every ſeaman that ſhall ſerve in any of his Majeſty's ſhips, or in any ſhip belonging to any ſubjects of his Majeſty's dominions, ſhall allow out of the wages for ſuch ſervice 6 d. *per menſem* for ſupport of the hoſpital at Greenwich, which monthly allowance ſhall be collected as ſhall be appointed by the commiſſioners for executing the office of lord high admiral. Hoſpital money.

III. *Brit. Stat.* 10 *Ann. cap.* 17. *ſect.* 1. To the intent that the 6 d. *per menſem* may be effectually collected, every perſon that ſhall ſerve her Majeſty, or any other, in any of her Majeſty's ſhips, or in any ſhip belonging to ſubjects of Great Britain or Ireland or dominions thereunto belonging, and every maſter working in his own ſhip, whether employed upon the high ſea, or coaſts, or in any port, bay or creek, other than ſuch apprentices under the age of eighteen years, as are exempted from payment of 6d. *per menſem* by 2 *Ann. cap.* 6. and perſons employed in any boat upon the coaſts in taking of fiſh which are brought freſh on ſhore into Great Britain and Ireland, and perſons employed in boats that trade only from place to place within any river, or in open boats upon the coaſts, ſhall pay the ſaid 6 d. *per menſem* for ſupport of Greenwich hoſpital. Perſons liable to hoſpital-money.

IV. *ſect.* 2. The maſter of every ſhip not in her Majeſty's ſervice, is required to deduct out of the wages accruing to ſuch ſeamen 6 d. *per meſem*, and pay the ſame to ſuch officers as ſhall be appointed by the commiſſioners for executing the office of lord high admiral. Deductions out of wages.

V. *ſect.* 3. It ſhall be lawful for the commiſſioners executing the office of lord high admiral to appoint receivers of the ſaid duty, and to authorize ſuch receivers to depute the collectors or other officers of cuſtoms of the out-ports, and of the ports of Ireland, or ſuch other as they ſhall think fit to collect the ſame; and it ſhall be lawful for the commiſſioners executing the office of lord high admiral, to Appointment of receivers.

make ſuch allowance to them out of the ſaid duties, as they ſhall judge reaſonable.

Summons to maſters and owners of ſhips.

VI. *ſect.* 4. It ſhall be lawful for the ſaid receivers or their deputies, by warrant to ſummon all maſters, or in their abſence the owners of ſhips not in her Majeſty's ſervice, to appear at the office of the ſaid receivers, &c. ſo as the perſon ſummoned be not obliged to travel above ten miles, which receivers or their deputies, are impowered to examine every ſuch maſter or owner, as to the number and times of ſervice of all perſons belonging to ſuch ſhips who are chargeable with the ſaid 6d. *per menſem.*

Penalties on refuſal.

(2) And if ſuch maſters or owners ſhall refuſe when ſummoned, not having a reaſonable excuſe, to appear, or if they ſhall obſtinately refuſe to make diſcovery of the matters aforeſaid upon their oaths, or ſhall neglect to pay the monies due to the hoſpital within fourteen days after they ſhall be cleared inwards, ſuch offenders ſhall forfeit 20l. one moiety to the uſe of the ſaid hoſpital, and the other moiety to ſuch perſon as ſhall ſue for the ſame in any of her Majeſty's courts of record; and if a verdict paſs for the plaintiff, he ſhall have double coſts.

Stopping ſhips.

(3) And if any ſuch maſter ſhall attempt to go to ſea with his ſhip before he hath paid the ſaid duty for the voyage preceding, ſuch receivers, or their deputies, are impowered to ſtop ſuch ſhip.

Death of maſters.

(4) And upon the death or removal of any maſter, the owner ſhall deliver to the ſucceeding maſter a true account of the ſaid duty due to the hoſpital, and money ſufficient for the payment of the ſame, and in default thereof, ſuch receivers or their deputies, may ſtop ſuch ſhip from proceeding to ſea.

Affirmation of quakers.

VII *ſect.* 5. In all caſes where by this act an oath is required to be taken, the ſolemn affirmation of quakers ſhall be accepted inſtead of ſuch oath; and in caſe any quaker ſhall upon ſuch affirmation declare any matter which ſhall be falſe, or if any other perſon ſhall purſuant to this act willingly make a falſe oath, he being lawfully convicted, ſhall ſuffer like puniſhment as perſons convicted of wilful perjury.

Private contract.

VIII. *ſect.* 6. No private contracts made by any ſeaman ſhall obſtruct or delay the payment of the duties appropriated to the ſaid hoſpital.

Publick act.

IX. *ſect.* 7. This act ſhall be a public act; and any perſon ſued for any thing done in the execution of this act may plead the general iſſue, and ſhall recover treble coſts.

Extended to America.

X. *Brit. Stat.* 2 *Geo.* 2. *cap.* 7. *ſect.* 1. The ſeveral acts concerning the duty of 6d. *per* month payable by all ſeamen for ſupport of Greenwich hoſpital, ſhall extend to all ſhips belonging to his Majeſty's ſubjects within the iſlands of Jerſey, Guernſey, Alderney, Sark and Man, and within all his Majeſty's dominions in America, as well as to thoſe within Great Britain and Ireland.

Places of payment.

XI. *ſect.* 4. All maſters, &c. of ſhips belonging to the King's ſubjects within the ſaid iſlands or colonies, who ſhall ſail from thence to Great Britain or Ireland, and back to the ſaid iſlands or colonies, ſhall pay ſuch part of the ſaid duty as ſhall be due at their arrival, and during their continuance in Great Britain or Ireland within the ſaid kingdoms; and ſuch part as ſhall be due at the time of their return to and during their continuance in the ſaid iſlands or colonies within the ſaid iſlands and colonies; and all maſters, &c. of ſhips belonging to any ſubjects of his Majeſty within Great Britain or Ireland, who ſhall trade from thence to any of the ſaid iſlands or colonies, ſhall pay the ſaid duty of 6d. *per* month, only in Great Britain or Ireland.

Duty before clearance inwards.

XII. *ſect.* 7. All maſters of merchant ſhips or other private veſſels, liable to the duty of 6d. *per* month, ſhall pay the ſaid duty before any ſuch ſhips ſhall be cleared

cleared inwards, in any ports of Great Britain or Ireland, or of the iſlands of Guernſey, Jerſey, &c. or of the colonies in America; and no officer of the cuſtoms ſhall clear inwards any merchant ſhip liable to the ſaid duty, or grant any warrant, or give or make out any cocquet, tranſires, returns or diſcharges to ſuch ſhips, nor ſuffer them to go out of any port, till the maſter, &c. produce to the officer an acquittance ſigned by the receiver, whereby it ſhall appear that ſuch maſter, &c. hath paid the ſaid duty, and that he is not more than thirty days in arrear; and every maſter of ſuch ſhip, who ſhall neglect to pay the 6 d. *per* month, and alſo every officer of the cuſtoms, who ſhall make default in the premiſſes, ſhall forfeit 20 l.

XIII. *ſect.* 9. All penalties incurred by this act within Great Britain and Ireland, ſhall be recovered as by the act of the tenth of Queen Anne is preſcribed for the forfeiture of twenty pounds inflicted upon the ſaid maſters neglecting to appear, one moiety of the penalties ſhall be to the uſe of the ſaid hoſpital, and the other moiety to the uſe of ſuch perſons as ſhall ſue for the ſame. Trial of offences.

XIV. *ſect.* 10. Any perſon ſued for any thing done in execution hereof, may plead the general iſſue, and if the plaintiff ſhall become nonſuited, or a verdict ſhall paſs for the defendant, ſuch defendant ſhall recover treble coſts. General iſſue.

XV. *Brit. Stat.* 14 *Geo.* 2. *cap.* 38. *ſect.* 3. Whereas by an act made in Great Britain 1 *Geo.* 2. *Stat.* 2. *cap.* 14. it was enacted, that *no perſon who ſhall liſt himſelf to ſerve on board any of his Majeſty's ſhips of war, ſhall be liable to be taken out of the ſervice by any proceſs or execution other than for ſome criminal matter, unleſs for a real debt or other juſt cauſe of action, and unleſs before the taking out ſuch proceſs or execution, the plaintiff, or ſome other in his behalf, make affidavit before a judge of the court out of which ſuch proceſs, &c. ſhall iſſue, or before ſome perſon authorized to take affidavits in ſuch courts that to his knowledge the ſum juſtly due to the plaintiff, amounts to 20 l. a memorandum of which oath ſhall be marked on the writ, for which memorandum or oath no fee ſhall be taken; and if any perſon ſhall be arreſted contrary to this act, it ſhall be lawful for a judge of ſuch court, on complaint made by the party or his officer, to examine into the ſame, and by warrant to diſcharge ſuch ſeaman without fees, upon proof made that ſuch ſeaman was belonging to one of his Majeſty's ſhips, and arreſted contrary to this act, and alſo to award coſt, for recovery whereof he ſhall have the like remedy that the plaintiff might have had for his coſts. And that it ſhall be lawful for any plaintiff on notice firſt given in writing of the cauſe of action to ſuch ſeaman in his Majeſty's ſervice, or left at his laſt place of reſidence before his entring into the ſervice, to file a common appearance in any action for any debt, ſo as to intitle the plaintiff to proceed therein to judgment and outlawry, and to have an execution thereupon, other than againſt the body of him ſo belonging to one of his Majeſty's ſhips:* ſo much of the ſaid act as relates to the matters herein recited, ſhall be of force in Ireland. Recital of the act, 1 G 2. In force in Ireland.

XVI. *Stat.* 5 *Geo.* 2. *cap.* 13. *ſec.* 1. It ſhall not be lawful for any maſter or commander of any ſhip or veſſel bound to parts beyond the ſeas, to carry any ſeamen or mariners, except his apprentices, to ſea, from the place where they were entered or ſhipped, to proceed on any voyage to parts beyond the ſeas, without firſt coming to an agreement or contract with ſuch ſeamen for their wages; which agreements ſhall be made in writing, declaring what wages each ſeaman is to have reſpectively during the whole voyage, or for ſo long time as they ſhall ſhip themſelves for, and alſo to expreſs in the ſaid agreement, the voyage for which ſuch ſeaman was ſhipped to perform the ſame. Contract for wages to be in writing.

Penalty on maſters.

(2) And in caſe any maſter of any ſhip ſhall carry out any ſeaman, except his apprentices, upon any voyage to parts beyond the ſeas, without firſt entering into ſuch agreement or contract as aforeſaid, and he and they ſigning the ſame, ſuch maſter ſhall forfeit five pounds for every ſuch ſeaman and mariner which he ſhall carry to ſea, without entering into ſuch agreement in writing as aforeſaid, to be recovered upon information, on the oath of one witneſs before any juſtice of the peace, who are required to iſſue out their warrants to bring before them ſuch maſter of any ſuch ſhip; and in caſe they refuſe to pay ſuch penalty, to grant their warrants to levy the ſame by diſtreſs and ſale of the offender's goods; and in caſe no diſtreſs can be found, to commit the offenders to the common gaol of the county or place, there to remain until they ſhall pay the ſame, ſuch forfeiture to be to the uſe of the Bluecoat-hoſpital in Dublin.

Agreements to be concluſive.

XVII. *ſect.* 2. If any ſeaman or mariner enter or ſhip himſelf on board any merchant ſhip, on any intended voyage for parts beyond the ſeas, they ſhall ſign ſuch agreement or contract within three days after they have entered themſelves on board any ſhip or veſſel, in order to proceed on any voyage as aforeſaid; which agreements or contracts, after the ſigning thereof, ſhall be concluſive and binding to all parties for the times ſo agreed or contracted for.

Deſerting or refuſing to proceed.

XVIII. *ſect.* 3. In caſe any ſeaman or mariner ſhall deſert or refuſe to proceed on the voyage on board any ſhip bound to parts beyond the ſeas as aforeſaid, or ſhall deſert from the ſhip to which they ſhall belong, in parts beyond the ſeas, after they ſhall have ſigned ſuch contract or agreement, they ſhall forfeit to the owners of ſuch ſhip the wages which ſhall be due to them at the time of their deſerting ſuch ſhip, or obſtinately refuſing to proceed on ſuch voyage.

Committa' by a juſtice.

XIX. *ſect.* 4. In caſe any ſuch ſeaman or mariner ſhall deſert or abſent himſelf from any ſuch ſhip, after they have entered into, and ſigned ſuch contract or agreement, upon application made to any juſtice of the peace within their reſpective juriſdictions, by the maſter or owners, or other perſon having charge of the ſhip to which ſuch ſeaman did belong; it ſhall be lawful for ſuch juſtices, and they are required to iſſue their warrants to apprehend ſuch ſeaman or mariner; and in caſe they ſhall refuſe to proceed on the voyage which they entered into contract or agreement to perform as aforeſaid, and ſhall not give a ſufficient reaſon for ſuch refuſal, to the ſatisfaction of ſuch juſtices, then to commit ſuch ſeaman or mariner to the houſe of correction, there to be kept to hard labour not exceeding thirty days, nor leſs than fourteen days.

Abſenting without leave.

XX. *ſect.* 5. In caſe any ſeaman or mariner ſhall abſent himſelf from the ſhip or veſſel to which he ſhall belong, without leave from the maſter or commander, or other chief officer having charge of ſuch ſhip or veſſel, every ſuch ſeaman or mariner, ſhall, for every ſuch days abſence, forfeit two days pay, to be recovered, applied, and diſpoſed of as herein after is directed.

Diſcharge in writing.

XXI. *ſect.* 6. In caſe any ſeaman or mariner, not entering into the ſervice of his Majeſty, ſhall leave ſuch ſhip or veſſel to which they belong, before they ſhall have a diſcharge in writing from the maſter or commander, or other perſon having the charge of ſuch ſhip, they ſhall forfeit one month's pay, to be recovered, applied and diſpoſed of as herein after is directed.

Payment of wages.

XXII. *ſect.* 7. Upon the arrival of any ſhip or veſſel into this kingdom from parts beyond the ſeas, the maſters or commanders of ſuch ſhips ſhall be obliged to pay the ſeamen and mariners belonging to ſuch ſhips their wages (if demanded) in thirty days after ſuch ſhips being entered at the cuſtom-houſe, except in caſe where a covenant ſhall be entered into to the contrary, or at the time the ſaid ſeamen

ſhall

ſhall be diſcharged which ſhall firſt happen) if demanded, deducting out of ſuch wages the penalties and forfeitures by this act impoſed; under the penalty of paying to each ſeaman that ſhall be unpaid, contrary to the intent of this act, twenty ſhillings over and above the wages that ſhall be due to each perſon, to be recovered by the ſame means and methods as the wages may be recovered; and ſuch payment of wages ſhall be good in law, notwithſtanding any action, bill of ſale, attachment or incumbrance whatſoever. Penalty for non-payment.

XXIII. *ſect.* 8. No ſeaman or mariner by entering into, or ſigning ſuch contract, ſhall be deprived of or hindred from uſing any means for the recovery of wages againſt any ſhip, the maſter or owners thereof, which he may now lawfully make uſe of. Remedy for wages ſaved.

(2) And in all caſes where it ſhall be neceſſary that the contract or agreement in writing aforeſaid ſhould be produced in court, no obligation ſhall lie on any ſeaman to produce the ſame, but on the maſter or owners of the ſhip for which the wages ſhall be demanded; and no ſeaman ſhall fail in any ſuit for recovery of wages, for want of ſuch contract being produced. Maſter or owners to produce contracts.

XXIV. *ſect.* 9. The maſters or owners of ſhips ſhall have power to deduct out of the wages of any ſeaman, all the penalties and forfeitures incurred by ſuch ſeaman by virtue of this act, and to enter them in books to be kept for that purpoſe, and to make oath (if required) to the truth thereof, which books ſhall be ſigned by the maſter of each veſſel, and two or more principal officers or ſailors belonging to ſuch veſſels, ſetting forth, that the penalties and forfeitures in ſuch books, are the whole penalties and forfeitures ſtopt from any ſeaman during the whole voyage. Deduction for forfeitures.

(2) Which penalties, except the forfeitures of wages to the owners on the deſertion of any ſeaman, or on refuſing to proceed on the voyage, ſhall be applied to the uſe of the Bluecoat Hoſpital in Dublin, to be paid by the maſters of ſhips coming from parts beyond the ſeas, to the collector at each port where ſuch ſhip ſhall be entered, who collects the ſix-pence *per* month deducted out of ſeaman's wages for the uſe of the Hoſpital at Greenwich; which collector ſhall have power to adminiſter an oath to every maſter reſpectively, touching the truth of ſuch penalties and forfeitures, to be paid, applied and diſpoſed of as aforeſaid. Penalties to the bluecoat hoſpital.

XXV. *ſect.* 10. In caſe any maſters or owners of ſhips ſhall deduct out of the wages of any ſeaman any of the penalties and forfeitures which by this act are directed to be deducted and applied to the uſe of the ſaid hoſpital, and ſhall not pay the money ſo deducted to the collector of the port where ſuch ſhip ſhall be entered, within three months after ſuch deduction, every perſon ſo neglecting to pay the money ſo deducted, ſhall forfeit treble the value thereof to the uſe of the ſaid hoſpital; which, together with the money deducted as aforeſaid, ſhall be recovered by the ſame means as any penalties for not duly paying the ſaid ſix-pence *per* month may be recovered. Neglecting payment forfeit treble.

XXVI. *ſect.* 11. This act ſhall be a publick act.

XXVII. *ſect.* 13. Nothing in this act ſhall extend to debar any ſeaman belonging to any merchant ſhip from entering into the ſervice of his Majeſty, nor ſhall ſuch ſeaman for ſuch entry forfeit the wages due to him during the time of his ſervice in ſuch merchant ſhip, nor ſhall ſuch entry be deemed a deſertion. (*Brit. Stat.* 2 *Geo.* 2. *cap.* 36.) Entering into his Majeſty's ſervice.

XXVIII. *Stat.* 5 *Geo.* 3. *cap.* 15. *ſect.* 38. An act paſſed in the fifth year of his late Majeſty King George the ſecond's reign, *for the better regulation and government of ſeamen in merchants ſervice*; which act has been revived and continued by an act made in the firſt year of his preſent Majeſty's reign, but is now near expiring, ſhall The act, 5 G. 2. c. 13.

be

Seamen.

Continued for ten years, &c.

be further continued for ten years, from the twenty fifth of March one thouſand ſeven hundred and ſixty-ſix, and from thence to the end of the then next ſeſſion of parliament.

Abſenting without leave.

XXIX. *Stat.* 7. *Geo.* 2. *cap.* 7. *ſect.* 7. All ſeamen leaving or abſenting themſelves from their reſpective ſhips without leave from the merchant, maſter, or owner of ſuch ſhip, ſhall ſuffer the penalties in *Stat.* 5 *Geo.* 2. *cap.* 13. mentioned to be levied and applied as therein directed.

Servants.

Recovery of wages.

I. *Stat.* 2 *Geo.* 1. *cap.* 17. *ſect.* 1. For the more eaſy recovery of wages which ſhall become due to any day-labourer, artificer, or ſervant, whoſe demands ſhall not exceed three pounds, any juſtice of the peace of the county where ſuch maſter or miſtreſs dwells, not living more than five miles from the dwelling-place of ſuch maſter or miſtreſs, and if no juſtice of the peace live within the ſpace of five miles, the next neighbouring juſtice of the peace, and every chief magiſtrate of any city or town corporate wherein ſuch maſter and miſtreſs lives, is required upon the complaint of any ſuch labourer, artificer, or ſervant, upon oath that he or ſhe cannot receive his or her wages due, to ſummon ſuch maſter, miſtreſs, or perſon employing ſuch artificer, in writing, not being a peer or peereſs of this kingdom, to appear before him, in which ſummons the ſum demanded ſhall be expreſſed, and the place and time for ſuch perſons appearance, for iſſuing of which ſummons the juſtice or chief magiſtrate or their clerk may take ſix-pence, and no more.

Summons to maſters, &c.

Neglecting to appear.

(2) And in caſe the ſaid maſter or miſtreſs, or other perſons, neglect to appear according to ſuch ſummons, the ſaid juſtice or chief magiſtrate upon proof on oath that the ſaid ſummons was delivered to the ſaid maſter or miſtreſs, or other perſon, or their ſon, daughter, or menial ſervant, of the age of ſixteen years or upwards, at ſuch maſter, miſtreſſes, or other perſons uſual place of abode, is authorized to proceed to the determining of the ſaid demand as well by examining ſuch witneſſes as ſhall appear before him upon oath as by all other legal ways, and if ſuch juſtice or chief magiſtrate ſhall ſee it neceſſary by examination of the parties complaining or complained againſt on their reſpective oaths, and to determine what ſhall be paid by the ſaid maſter or miſtreſs, or other perſon, to ſuch ſervant, artificer, or day labourer.

Warrant of diſtreſs.

(3) And if ſuch maſter or miſtreſs, or other perſon ſhall not pay what the juſtice or chief magiſtrate ſhall adjudge to be due, within ſuch time as the ſaid juſtice or chief magiſtrate ſhall direct, not exceeding ten days, the ſaid juſtice or chief magiſtrate is required by warrant under his hand and ſeal, at the inſtance of ſuch labourer, artificer, or ſervant, directed to any conſtable of the ſaid county to levy ſo much as ſhall be adjudged due, together with ſix-pence for the ſummons, and ſix-pence for the ſaid warrant, to be paid to the ſaid juſtice or chief magiſtrate, or their clerk, and twelve pence to the conſtable for executing the ſaid warrant, by diſtreſs and ſale of the goods of ſuch perſons ſo refuſing to pay the ſame, according to the determination of the ſaid juſtice or chief magiſtrate.

Complaints againſt ſervants.

II. *ſect.* 2. Foraſmuch as ſeveral ſervants are drunkards, idle, or diſorderly in their ſervices, or waſte and purloin their maſters goods, or lend the ſame without their maſters or miſtreſſes conſent or knowledge, or depart their ſervice without his or her conſent, within the time for which they had obliged themſelves to ſerve, upon the complaint of any maſter or miſtreſs upon oath, of any ſuch offence of his or her ſervant, any juſtice or chief magiſtrate where the maſter or miſtreſs inhabits, is required to iſſue a warrant for bringing ſuch ſervants before him, and upon

upon examination and due proof upon oath made of ſuch offences, it ſhall be lawful for the ſaid juſtice or chief magiſtrate, to put ſuch ſervants in the ſtocks in ſome market-town on the market-day, or in the pariſh ſtocks for any time not exceeding ſix hours, or ſend them to the houſe of correction of the county where ſuch offence ſhall be committed, to be kept at hard labour for any time not exceeding ten days.

(2) And in caſe the ſaid maſter or miſtreſs ſhall after the ſaid time of puniſhment is expired, deſire the ſaid ſervant to return to their ſervice for the remainder of the time that by agreement ſuch ſervant ought to ſerve, the ſaid juſtice of the peace or chief magiſtrate ſhall order the ſaid ſervant ſo to do, and in caſe the ſaid ſervant ſhall refuſe ſo to do, the ſaid juſtice or chief magiſtrate is again to commit ſuch ſervant to the houſe of correction, to be kept to hard labour, and corporally puniſhed during the time he or ſhe ought to ſerve according to their agreement, or until the next general quarter-ſeſſions of the peace where the juſtices in open ſeſſeſſions may examine the matter, and diſcharge the ſaid ſervant, or continue him or her as to them ſhall ſeem meet. Refuſing to ſerve.

III. *ſect.* 3. No ſervant ſhall hire or offer themſelves to be hired while he or ſhe is actually in ſervice, and before the time for which he or ſhe did contract or hire him or herſelf be expired, without licence from his or her maſter or miſtreſs firſt obtained, unleſs ſuch ſervants do firſt give one months notice thereof to his or her maſter or miſtreſs; and in caſe any ſervants ſhall do the contrary, on complaint, and due proof upon oath being made thereof before any juſtice or chief magiſtrate where ſuch ſervant reſides, every ſuch ſervant ſhall be committed to the houſe of correction for any time not exceeding ten days, there to be kept at hard labour during that time, or put in the ſtocks in ſome market-town on the market-day for any time not exceeding ſix hours. Hiring without a diſcharge.

IV. *ſect.* 4. On the diſcharge or putting away any ſervant from his or her ſervice, or upon ſuch ſervants regularly leaving his or her ſervice, the maſter or miſtreſs of ſuch ſervant ſhall give a certificate in writing under his or her hand, that ſuch perſon who is therein named was his or her ſervant, and that he or ſhe is diſcharged from the ſaid ſervice, and ſhall in the ſaid diſcharge certifie, if deſired, or ſuch maſter or miſtreſs thinks fit, the behaviour of ſuch ſervant. Certificate of diſcharge.

V. *ſect.* 5. No maſter or miſtreſs ſhall hire any ſervant without a diſcharge aforeſaid under the hand of the maſter or miſtreſs with whom the ſaid ſervant laſt dwelt, and in caſe any perſon ſhall refuſe to give his or her ſervant a diſcharge and certificate of their behaviour as aforeſaid, ſuch ſervant may apply to ſome neighbouring juſtice of the county or city where ſuch maſter or miſtreſs inhabits, or to the chief magiſtrate of any city or corporate town, if ſuch maſter or miſtreſs live in one, who ſhall write to the maſter or miſtreſs of ſuch ſervant, not being a peer or peereſs of this realm; and in caſe ſuch maſter or miſtreſs ſhall be a peer or peereſs of this realm, then to the ſteward or bailiff of ſuch peer or peereſs, and require from them reſpectively the reaſon why ſuch ſervant is refuſed ſuch diſcharge and certificate of his or her behaviour, and in caſe no anſwer be given to ſuch letter within five days, or that the juſtice or chief magiſtrate ſhall ſooner by an anſwer to ſuch letter find that the cauſe of the refuſal of ſuch diſcharge or certificate was not ſufficient, the ſaid juſtice or chief magiſtrate are required to give a certificate thereof, or of ſuch reaſons as the maſter and miſtreſs give for refuſing ſuch diſcharge or certificate, that ſuch perſon who is about to hire ſuch ſervant may be apprized of ſuch ſervant's behaviour, and judge thereof, before he or ſhe hires ſuch ſervant, for which certificate the ſaid juſtice or chief magiſtrate, or Employing a ſervant without a diſcharge. Certificate by a juſtice.

their

their clerks, ſhall not take any fee; and the ſaid certificate ſhall be as good as if the ſame had been given by ſuch maſter or miſtreſs.

Counterfeiting a certificate.

(2) And any ſervant who ſhall be convicted of counterfeiting, or producing a counterfeited certificate under the hand of any maſter or miſtreſs, or juſtice of the peace, or chief magiſtrate, or under the hand of the ſteward or bailiff of any peer or peereſs, before two juſtices of the peace, by the oath of one or more witneſſes, or by ſuch ſervant's own confeſſion, ſhall be committed to the houſe of correction, and there kept for three months to hard labour, and whipt publickly on ſome market-day, between the hours of eleven and twelve in the morning, through the ſtreets of the town where the houſe of correction ſtands.

Servants not having diſcharges.

VI. *ſect.* 6. No ſervant not having ſuch diſcharge or certificate, ſhall be intitled to recover any wages by virtue of this act, from ſuch maſter or miſtreſs to whom he or ſhe ſhall hire him or herſelf, without producing ſuch diſcharge or certificate before ſuch juſtice or chief magiſtrate, or proving by a ſufficient witneſs on oath, that ſuch diſcharge or certificate was given to ſuch ſervant.

Taking ſervant without diſcharge.

VII. *ſect.* 7. And if any perſon ſhall knowingly take into ſervice any perſon who has been in any former ſervice without ſuch diſcharge or certificate, ſuch perſon being thereof convicted at the general quarter-ſeſſions of the peace held for the county or place where ſuch offence ſhall be committed, ſhall forfeit five pounds, to be levied by diſtreſs and ſale of the offenders goods, by warrant of ſuch general quarter-ſeſſions, rendering to the party the overplus, one moiety of ſuch forfeiture to be to the uſe of the poor of the pariſh where ſuch offence is committed, and the other moiety to the informer who ſhall diſcover and make out the ſame.

Nurſes with child.

VIII. *ſect.* 8. No woman ſhall hire herſelf to be a nurſe, or take upon her the nurſing of any child, knowing herſelf to be with child at the time ſhe taketh the child to nurſe; neither ſhall any woman continue to nurſe any child after ſhe knoweth herſelf to be with child, without giving notice thereof to the parents of the child.

Infectious diſeaſes.

(2) And no woman that hath any foul or infectious diſeaſe which may be communicated to the child, ſhall hire herſelf to be a nurſe, or take upon her the nurſing of any child, or ſhall continue to nurſe any child after ſhe ſhall diſcover herſelf to have any foul or infectious diſeaſe.

Penalty on offenders.

(3) And if any woman offend therein, on complaint made to any juſtice of the peace or chief magiſtrate of any city or town-corporate, the ſaid juſtice or chief magiſtrate are required to appoint two or more phyſicians, chirurgeons, or midwives, as the caſe ſhall require, to examine the matter complained of, and to make report upon oath; and if they do on their oaths declare, that in their judgment the woman complained of hath offended in any of the particulars aforeſaid, every ſuch nurſe ſo offending, ſhall by the judgment of ſuch juſtice of the peace, forfeit ſuch wages as ſhall be then due to her, and all ſuch profits or ſums of money as ſhe ſhall have received on account of ſuch nurſing, to the perſon informing againſt her for ſuch offence, to be recovered and levied in ſuch manner as ſervants wages are herein before directed to be recovered, and alſo ſhall ſuffer ſuch corporal puniſhment as by this act is appointed to be inflicted on ſervants counterfeiting or producing forged or counterfeited certificates.

Whipping after delivery.

IX. *ſect.* 9. Provided, that no nurſe that is with child ſhall be whipt for offending againſt this law, till two months after her delivery.

Complaint in three months.

X. *ſect.* 11. No ſervant, artificer or day labourer, ſhall have any remedy by this act, unleſs ſuch ſervant, artificer or day labourer, exhibit their complaint and proſecute the ſame with effect within three calendar months after ſuch ſervants are diſmiſſed from or leave their ſervice, or after ſuch artificer or day labourer have done

their

their work, or for any maſter or miſtreſs, or other perſon or perſons who do not exhibit their complaint within three months after their cauſe of complaint did ariſe againſt ſuch ſervants or other perſons.

XI. *ſect.* 18. If upon examination of any complaint made purſuant to this act, it appears to ſuch juſtice or chief magiſtrate that the complaint is frivolous and vexatious, it ſhall be lawful for the ſaid juſtice or chief magiſtrate, to award any ſum not exceeding two ſhillings and ſixpence for coſts, and to be levied by warrant of ſuch juſtice or chief magiſtrate, of the goods of the perſon making ſuch frivolous complaint, or to put ſuch perſon in the public ſtocks for any time not exceeding two hours, in caſe he ſhall refuſe to pay the ſum awarded to the perſon without cauſe complained of. Frivolous complaints.

XII. *ſect.* 19. All determinations made by any juſtice of the peace or chief magiſtrate, purſuant to this act, ſhall be concluſive between the parties. Determinations concluſive.

XIII. *ſect* 42. If any perſon ſhall be ſued for any thing he ſhall do in purſuance of this act, the defendant may plead the general iſſue, and give the ſpecial matter in evidence; and if a verdict ſhall paſs for the defendant, or the plaintiff becomes nonſuited, or judgment paſs for the defendant, ſuch defendant ſhall recover treble coſts. General iſſue.

XIV. *Stat.* 9 *Geo.* 2. *cap.* 8. *ſect*, 1. No retailer of ſtrong beer or ſpirituous liquors who ſhall ſell upon truſt or credit any ſtrong beer, ale, brandy, geneva, rum, *aqua vitæ*, or other ſpirituous liquors, to any ſervant or day labourer, or to any other perſon uſually working or plying for hire or wages, to the amount of any ſum exceeding one ſhilling, ſhall have any remedy to recover the ſame, either at law or in equity againſt any of the perſons aforeſaid, their executors or adminiſtrators, and all promiſſory notes, bonds, or other writings obligatory, given as a ſecurity for the payment of ſuch debts, are declared void. Liquors to ſervants on credit.

XV. *ſect.* 2. In caſe any ſuch ſervant or day labourer, or other perſons who uſually work or ply for hire or wages, ſhall leave any pawn or pledge as a ſecurity for the payment of any ſum exceeding one ſhilling contracted in ſuch manner, ſuch ſervant or day labourer, or any perſon uſually working or plying for hire, may complain to the chief magiſtrate of any city or town corporate, or to any juſtice of the peace where ſuch retailer of beer, ale, or other ſpirituous liquors uſually reſides, that ſuch pledge or pawn is detained from him or her by ſuch retailer of beer, ale, or ſpirituous liquors, and having made proof thereof upon oath, the chief magiſtrate or juſtice of the peace is required by warrant under his hand and ſeal, to compel ſuch retailer of beer, ale, or ſpirituous liquors by diſtreſs and ſale of his goods to reſtore the aforeſaid pawn to the party complaining, or to make him ſatisfaction for the loſs or abuſe thereof. Pawns for payment.

This act is made perpetual, by Stat. 1 *Geo.* 3. *cap.* 17. *ſect.* 17.

XVI. *Stat.* 25 *Geo.* 2. *cap.* 8. *ſect.* 1. All complaints and diſputes which ſhall happen between maſters or miſtreſſes and ſervants, or which ſhall happen between maſter or miſtreſſes, and artificers, handicraftsmen, miners, colliers, keel-men, pit-men, glaſs-men, porters, and other labourers employed for any certain time, or in any other manner, ſhall be determined by any two juſtices of the peace of the county or place where ſuch maſter or miſtreſs ſhall inhabit, although no rate or aſſeſſment of wages has been made that year by the juſtices of the peace of the county or liberty, or by the mayor, bailiffs, or other head officer where ſuch complaints ſhall be made, or where ſuch differences ſhall ariſe, which juſtices are impowered to examine upon oath any ſuch ſervant, or any other witneſſes touching ſuch complaint, and to ſum- Two juſtices to determine diſputes.

mon ſuch maſter or miſtreſs to appear at a reaſonable time, not leſs than forty eight hours to be preſixed in ſuch ſummons, and after hearing the parties touching ſuch matter of complaint, to make ſuch order for payment of ſo much wages to ſuch ſervant, &c. or other labourer, as to ſuch juſtices ſhall ſeem reaſonable, provided that the ſum in queſtion do not exceed five pounds with regard to any ſervant, nor three pounds with regard to any artificer, &c. and in caſe of non payment of any ſums ſo ordered, by the ſpace of one and twenty days after ſuch determination, ſuch juſtices ſhall iſſue their warrant to levy the ſame by diſtreſs and ſale of the goods of ſuch maſter or miſtreſs, or perſon employing ſuch artificer, &c. rendering the overplus to the owners after payment of the charges of ſuch diſtreſs and ſale.

Proviſo as to the value.

Complaints by maſters.

XVII. *ſect.* 2. And it ſhall be lawful for ſuch juſtices upon application or complaint made upon oath by any maſter, miſtreſs or employer, againſt any ſuch ſervant, artificer, &c. or other labourer touching any miſdemeanor, miſcarriage, or ill behaviour in his or her ſervice or employment, to determine the ſame, and to puniſh the offender by commitment to the houſe of correction, there to be corrected and held to hard labour for a reaſonable time, not exceeding one calendar month, or by abating ſome part of his or her wages, or by diſcharging ſuch ſervant, artificer, &c. or other labourer from their ſervice or employment.

Complaints by ſervants.

(2) And in like manner it ſhall be lawful for ſuch juſtices, upon any complaint or application upon oath by any ſuch ſervant, artificer, &c. or other labourer againſt any ſuch maſter, miſtreſs, or employer, touching any miſuſage, refuſal of neceſſary proviſion, cruelty, or other ill treatment of ſuch ſervant, artificer, &c. or other labourer, to ſummon ſuch maſter, miſtreſs, or employer to appear before ſuch juſtices at a reaſonable time to be prefixed in ſuch ſummons, and ſuch juſtices ſhall examine into the matter of ſuch complaint, whether ſuch maſter, miſtreſs, or employer ſhall appear or not, proof being made upon oath of his or her being duly ſummoned, and upon proof thereof made upon oath to their ſatisfaction, to diſcharge ſuch ſervant, artificer, &c. or other labourer from his ſervice and employment, which diſcharge ſhall be given under the hands and ſeals of ſuch juſtices *gratis*.

Appeal to the quarter-ſeſſions.

XVIII. *ſect.* 5. If any perſons ſhall think themſelves aggrieved by ſuch determination, order, or warrant of ſuch juſtices, ſave and except any order of commitment, they may appeal to the next quarter-ſeſſions to be held for the county or place where ſuch determination or order ſhall be made; which general quarter-ſeſſions is impowered to hear and finally determine the ſame, and to award ſuch coſts to any of the reſpective perſons appellant or reſpondent, as the ſaid ſeſſions ſhall adjudge reaſonable, not exceeding five pounds, the ſame to be levied by diſtreſs and ſale, in manner before mentioned.

Mutual demands.

XIX *ſect.* 6. Provided that in determining the matters in difference as aforeſaid, where there are mutual demands betwixt the parties not exceeding five pounds, the demand or debt of the one may be ſet againſt the demand or debt of the other.

No *certiorari*.

(2) And no writ of *certiorari* or other proceſs ſhall iſſue, to remove any proceedings had in purſuance of this act, in any of his Majeſty's courts of record at Dublin. *Brit. Stat.* 20 *Geo.* 2. *cap.* 19.

This act is made perpetual, by Stat. 5 *Geo.* 3. *cap.* 15. *ſect.* 39.

One juſtice may determine.

XX. *Stat.* 29 *Geo.* 2. *cap.* 8. *ſect.* 13. The ſeveral complaints, differances, and diſputes which by an act, 25 *Geo.* 2. *cap.* 8. *for the better adjuſting, and more eaſy recovery of the wages of certain ſervants, &c.* are directed to be heard and determined by two or more ſuch juſtices of the peace, as in the ſaid act are deſcribed,

deſcribed, ſhall and may be heard, and determined by one ſuch juſtice; which one juſtice is impowered to make ſuch orders, and to do all ſuch other acts as two or more ſuch juſtices are impowered by the ſaid act to make or do, with like liberty of appeal from the determination, order, or warrant of ſuch one juſtice, as by the ſaid act is provided, from the determination of two or more ſuch juſtices.

Service and ſacraments.

I. *Stat.* 2 *Eliz. cap.* 2. *ſect.* 2. The book of common prayer and adminiſtration of ſacraments, and other rites and ceremonies in the church of England authorized by act of parliament holden in England in the fifth and ſixth years of King Edward the ſixth, intitled *an act for the uniformity of common-prayer and adminiſtration of the ſacraments*, with the order of ſervice, and of the adminiſtration of ſacraments, rites and ceremonies, with the alteration and additions therein added and appointed by this eſtatute ſhall be in force. Book of common prayer.

II. *ſect.* 3. All miniſters in any cathedral or pariſh church, or other place within Ireland, ſhall uſe the mattins, even-ſong, celebration of the Lord's ſupper, and adminiſtration of each of the ſacraments, and all their common and open prayer, in ſuch order as is mentioned in the ſaid book authorized by parliament in the fifth and ſixth years of the reign of King Edward the ſixth, *with one* alteration or addition of certain leſſons to be uſed in every Sunday in the year, and the form of the litany corrected and two ſentences added in the delivery of the ſacrament to the communicants. To be uſed in all churches, &c.

III. *ſect.* 4. If any miniſter refuſe to uſe the ſaid common prayers, or to miniſter the ſacraments in ſuch order as they be ſet forth in the ſaid book, or ſhall wilfully or obſtinately uſe any other rite or manner of celebrating of the Lord's ſupper, or mattins, even-ſong, adminiſtration of the ſacraments, or other open prayers *as* is mentioned and ſet forth in the ſaid book, (open prayer in and throughout this act is meant that prayer which is for other to come unto or hear either in common churches, or in privy chapels or oratories commonly called the ſervice of the church) or ſhall preach or ſpeak any thing in the derogation or depraving of the ſaid book or any thing therein, and ſhall be thereof convicted by verdict or confeſſion, or by the notorious evidence of the fact, ſhall forfeit to the Queen for his firſt offence, the profit of all his ſpiritual benefices ariſing in one whole year next after his conviction, and ſuffer impriſonment ſix months. Refuſing to uſe the common prayer. Forfeiture.

IV. *ſect.* 5. If any perſon once convicted concerning the premiſſes, ſhall eftſoons offend and be thereof convict, the ſame perſon ſhall for his ſecond offence ſuffer impriſonment one year, and be deprived *ipſo facto* of all his ſpiritual promotions, and it ſhall be lawful to all patrons or donors of the promotions, to preſent or collate unto the ſame, as though the perſons ſo offending were dead. Second offence, deprivation,

V. *ſect.* 6. If any ſuch perſon twice convicted ſhall offend the third time, and ſhall be thereof convicted, the perſon ſo offending and convicted the third time, ſhall be deprived *ipſo facto* of all his ſpiritual promotions, and ſuffer impriſonment during his life. Impriſonment during life.

VI. *ſect.* 7. If the perſon that ſhall be convict in form aforeſaid ſhall not be beneficed, he ſhall for the firſt offence ſuffer impriſonment. Offenders unbeneficed.

VII. *ſect.* 8. If any ſuch perſon not having ſpiritual promotion, after his firſt conviction ſhall eftſoons offend, and be thereof convicted, he ſhall for his ſecond offence ſuffer impriſonment during life. Impriſonment during life.

VIII. *ſect.* 9. If any perſon ſhall in any interlude, plays, ſongs, rimes, or by other open words, ſpeak in derogation, depravation, or deſpiſing of the ſaid book or Forfeiture for the firſt offence.

of any thing therein, or ſhall by open deed or by threatnings, procure or maintain any parſon or miniſter to ſing or ſay any common prayer, or to miniſter any ſacrament otherwiſe than is mentioned in the ſaid book, or that by the ſaid means ſhall unlawfully interrupt any parſon or miniſter to ſing or ſay common prayer, or to miniſter the ſacraments in ſuch manner as is mentioned in the ſaid book, every ſuch perſon being convicted in form aboveſaid, ſhall forfeit to the Queen for the firſt offence, 100 marks

Second offence. IX. *ſect.* 10. If any perſon being once convict for ſuch offence eftſoons offend, and be thereof convicted, he ſhall for the ſecond offence, forfeit 400 marks.

Third offence. X. *ſect.* 11. If any perſon after he ſhall have been twice convict, ſhall offend the the third time, and be thereof convict, he ſhall for his third offence, forfeit all his goods, and ſuffer impriſonment during life.

Not paying to be impriſoned. XI. *ſect.* 12. If any perſon that for his firſt offence ſhall be convict in form aforeſaid, do not pay the ſum within ſix weeks after his conviction, he ſhall inſtead of the ſaid ſum ſuffer impriſonment ſix months.

Twelve months impriſonment. XII. *ſect.* 13. If any perſon that for his ſecond offence ſhall be convict, do not pay the ſum within ſix weeks after conviction, he ſhall inſtead of the ſaid ſum, ſuffer impriſonment twelve months.

Repairing to church. XIII. *ſect.* 14. All perſons inhabiting within the Queen's dominions, ſhall, having no lawful excuſe, endeavour to reſort to their pariſh church or chapel accuſtomed, or upon reaſonable let thereof to ſome uſual place where common prayer and ſuch ſervice of God ſhall be uſed every Sunday and other holidays, and there abide orderly during the time of common prayer, preachings, or other ſervice of God, upon pain of puniſhment by the cenſures of the church, and alſo upon pain that every perſon ſo offending, ſhall forfeit 12 *d.* to be levied by the churchwardens of the pariſh, to the uſe of the poor, by way of diſtreſs.

Execution of this act. XIV. *ſect.* 15. All archbiſhops, biſhops, and other ordinaries, ſhall endeavour that the due execution hereof may be had throughout their charges, as they will anſwer before God.

Cenſures of the church. XV. *ſect.* 16. All archbiſhops, biſhops, and other officers exerciſing eccleſiaſtical juriſdiction, as well in place exempt as not exempt within their dioceſe, ſhall have full power to puniſh by cenſures of the church, all perſons who ſhall offend within their juriſdictions againſt this act and eſtatute.

Juſtices to inquire. XVI. *ſect.* 17. All juſtices of the peace, gaol delivery of oyer and determiner or juſtices of aſſiſe, ſhall have power to inquire, hear and determine all offences contrary to this preſent act, and to make proceſs for the execution of the ſame, as againſt any perſon indicted of treſpaſs.

Biſhops may aſſociate. XVII. *ſect.* 18. Every archbiſhop and biſhop, may at his pleaſure aſſociate himſelf to the juſtices of the peace, gaol delivery of oyer and terminer, or to the juſtices of aſſiſe within his dioceſe.

Limitation. XVIII. *ſect.* 19. No perſon ſhall be moleſted for any of the offences abovementioned, unleſs they be thereof indicted at the next general ſeſſions before ſuch juſtices of the peace, gaol delivery of oyer and determiner, or of aſſiſe.

Trial by peers. XIX. *ſect.* 20. Lords of the parliament for the third offence abovementioned ſhall be tried by their peers before ſuch peer of this realm of Engliſh blood, as by the lord deputy or other governors of this realm, ſhall be by commiſſion appointed under the broad ſeal.

Chief magiſtrates XX. *ſect.* 21. The mayor of Dublin and all other mayors and head officers of cities, boroughs, and towns corporate, to the which juſtices of peace or of gaol delivery, or aſſiſe do not commonly repair, ſhall have power to inquire, hear and determine the offences aboveſaid yearly within fifteen days after the feaſt of Eaſter and St. Michael,

Michael, in like manner as juſtices of the peace, gaol delivery, aſſiſe and oyer and terminer may do.

XXI. *ſect.* 23. All archbiſhops, and biſhops, and their chancellors, commiſſaries, archdeacons, and other ordinaries, having eccleſiaſtical juriſdiction, ſhall have power to inquire in their viſitation, ſynods, and elſewhere within their juriſdictions, to take informations of all things aboveſaid, committed within their juriſdictions, and puniſh the ſame by admonition, excommunication, ſequeſtration or deprivation, and other cenſures, as hath been uſed in like caſes by the eccleſiaſtical laws. Inquiry in viſitation.

XXII. *ſect.* 24. Whatſoever perſon offending in the premiſſes, ſhall for the offence, firſt receive puniſhment of the ordinary having a teſtimony thereof under the ſaid ordinaries ſeals, ſhall not for the ſame offence be convicted before the juſtices, and likewiſe receiving puniſhment by the juſtices, he ſhall not for the ſame offence receive puniſhment of the ordinary. No double puniſhment.

XXIII. *ſect.* 25. Such ornaments of the church and miniſters thereof, ſhall be retained as was in the church of England by the authority of parliament in the ſecond year of King Edward the ſixth, until other order ſhall be therein taken by the authority of the Queen, with the advice of her commiſſioners for cauſes eccleſiaſtical, or by the authority of the lord deputy or other governors of this realm, with the advice of the council under the great ſeal of this realm, if any contempt or irreverence be uſed in the ceremonies of the church by the miſuſing of the orders appointed in this book, the Queen may by the like advice of the ſaid commiſſioners, or the lord deputy or governors of this realm, with the advice of the council, ordain ſuch further ceremonies as may be moſt for the advancement of God's glory, the edifying of this church, and the due reverence of Chriſt's holy myſteries and ſacraments. Ornaments of the church.

XXIV. *ſect.* 26. All laws whereby any other ſervice, adminiſtration of ſacraments or common prayer is eſtabliſhed within this realm ſhall be void. Laws for other ſervice void.

XXV. *ſect.* 27. In every church or place where the common miniſter or prieſt hath not the knowledge of the Engliſh tongue, it ſhall be lawful to ſay the mattins, even ſong, celebration of the Lord's ſupper and adminiſtration of each of the ſacraments, and all their common and open prayer in the Latin tongue, in ſuch form as they be mentioned and ſet forth in the ſaid book eſtabliſhed by this act. *Eng. Stat. 1 Eliz. cap.* 2. Latin form.

XXVI. *Stat.* 17 & 18 *Car.* 2. *cap.* 6. *ſect.* 2. All miniſters in any cathedral, collegiate, or pariſh church or chapel, or other place of public worſhip within Ireland, ſhall uſe the morning prayer, evening prayer, celebration and adminiſtration of both the ſacraments, and all other public and common prayer, in ſuch order as is mentioned in the ſaid book annexed to this act, intitled, *the book of common prayer*, &c. and the morning and evening prayers therein, ſhall upon every Lord's day, and upon all other occaſions, and at the times therein appointed be openly and ſolemnly read by every miniſter or curate in every church, chapel, or other place of public worſhip within this realm of Ireland. Order of common prayer.

XXVII. *ſect.* 4. Every perſon who ſhall be preſented or collated or put into any eccleſiaſtical benefice, ſhall in the church, chapel, or place of public worſhip belonging to his ſaid benefice, within two months after he ſhall be in poſſeſſion of the ſaid benefice, upon ſome Lord's day openly, publickly, and ſolemnly read the morning and evening prayers according to the ſaid book, and after ſuch reading thereof, ſhall openly and publickly before the congregation there aſſembled, declare his unfeigned aſſent and conſent to the uſe of all things in the ſaid book contained and preſcribed in theſe words; Reading morning and evening prayer.

I A. B.

Aſſent and conſent.

I A. B. *do hereby declare my unfeigned aſſent and conſent to all and every thing contained and perſcribed in and by the book intitled*; " *the book of common prayer and adminiſtration of the ſacraments and other rites and ceremonies of the church according to the uſe of the church of Ireland, together with the pſalter or pſalms of David, pointed as they are to be ſung or ſaid in churches, and the form or manner of making, ordaining, and conſecrating of biſhops, prieſts and deacons.*

Deprivation.

and every ſuch perſon, who ſhall without ſome lawful impediment to be allowed by the ordinary neglect to do the ſame, or in caſe of ſuch impediment, within one month after ſuch impediment removed, ſhall *ipſo facto*, be deprived of his ſpiritual promotions.

Incumbent keeping curates.

XXVIII. *ſect.* 5. In all places where the proper incumbent of any benefice with cure doth reſide and keep a curate, the incumbent himſelf not having ſome lawful impediment, to be allowed by the ordinary of the place, ſhall once at leaſt in every month, openly and publickly read the common prayers and ſervice, and if there be occaſion, adminiſter each of the ſacraments and other rites of the church in the pariſh church or chapel in ſuch form as in the ſaid book is appointed, upon pain to forfeit five pounds, to the uſe of the poor of the pariſh for every offence upon conviction, by confeſſion or proof of two credible witneſſes upon oath, before two juſtices of the county, city, or town-corporate where the offence ſhall be committed, and in default of payment within ten days, to be levied by diſtreſs and ſale of goods by the warrant of the juſtices, by the churchwardens or overſeers of the poor of the ſaid pariſh.

Subſcribing the declaration.

XXIX. *ſect.* 6. Every dean and other dignitary, canon, prebendary, and warden of every cathedral or collegiate church, and all maſters and heads, fellows, chaplains and tutors, in any college, hall, houſe of learning or hoſpital, and every public profeſſor and reader in any univerſities or colleges which ſhall be within this realm, and every parſon, vicar, curate, lecturer and other perſon in holy orders, and every ſchool-maſter keeping any public or private ſchool, and every perſon inſtructing or teaching any youth in any houſe or private family, as a tutor or ſchoolmaſter at or before their reſpective admiſſions to be incumbent, or have poſſeſſion of any the dignities, promotions, or places aforeſaid, ſubſcribe the declaration or acknowledgment following; *ſcilicet.*

Conformity to the liturgy.

I A. B. *do declare that I will conform to the liturgy of the church of Ireland as it is now by law eſtabliſhed.*

The reſt of the declaration is taken away by Stat. 4 Geo. 1. cap. 3. See Par. LXXIV.

Deprivation *ipſo facto.*

XXX. *ſect.* 7. Which declaration and acknowledgment ſhall be ſubſcribed by every of the ſaid maſters and other heads, fellows, chaplains, and tutors of or in any college, hall, or houſe of learning, and by every public profeſſor and reader in any univerſity or colleges, before the vice-chancellor or viſitors, or their deputies, and ſhall be ſubſcribed before the reſpective archbiſhop, biſhop, or ordinary of the dioceſe, by every other perſon hereby enjoined to ſubſcribe the ſame, upon pain that all the perſons aforeſaid failing in ſuch ſubſcriptions ſhall loſe ſuch his deanry, &c. and ſhall be *ipſo facto* deprived of the ſame, and every ſuch reſpective deanry, canonry, prebend, maſterſhip, headſhip, fellowſhip, profeſſor's place, reader's place, parſonage, vicarage, eccleſiaſtical dignity or promotion, curates place, lecture and ſchool ſhall be void.

Oath of allegiance, &c.

XXXI. *ſect.* 8. Every ſchool-maſter or perſon inſtructing or teaching youth in any private houſe or family as a tutor or ſchool-maſter, *ſhall* be required to take

take the oath of allegiance and ſupremacy, which oath is to be adminiſtered by the ordinary.

XXXII. *ſect.* 9. If any ſchool-maſter or other perſon inſtructing or teaching youth in any private houſe or family as a tutor or ſchool-maſter, ſhall inſtruct or teach any youth as a tutor or ſchool-maſter, before licence obtained from his archbiſhop, biſhop or ordinary of the dioceſe, according to the laws of this kingdom, for which he ſhall pay twelve pence only; Licence to ſchool-maſters.

(2) And before ſuch ſubſcription made, and before ſuch taking of the oath of allegiance and ſupremacy, every ſuch ſchool-maſter, &c. ſhall for the firſt offence ſuffer three months impriſonment, and for every other ſuch offence, ſhall ſuffer three months impriſonment, and alſo forfeit to his Majeſty five pounds. Three months impriſonment.

(3) And after ſuch ſubſcription made, every ſuch parſon, vicar, curate and lecturer, ſhall procure a certificate under the hand and ſeal of the archbiſhop, biſhop, or ordinary of the dioceſe, who are required upon demand to make and deliver the ſame, and ſhall publickly and openly read the ſame, together with the declaration or acknowledgment aforeſaid, upon ſome Lord's day within three months next following, in his pariſh church where he is to officiate, in the preſence of the congregation in the time of divine ſervice, upon pain that every perſon failing therein, ſhall loſe ſuch benefice, curate's place, or lecturer's place reſpectively, and ſhall be *ipſo facto* deprived of the ſame. Certificate of ſubſcription.

XXXIII. *ſect.* 12. No perſon ſhall be capable to be admitted to any parſonage, vicarage, benefice, or other eccleſiaſtical promotion or dignity, nor ſhall preſume to conſecrate and adminiſter the ſacrament of the Lord's ſupper, before ſuch times as he ſhall be ordained prieſt according to the form in and by the ſaid book preſcribed, unleſs he have formerly been made prieſt by epiſcopal ordination, upon pain to forfeit for every offence 100 pounds, one moiety thereof to the King, the other moiety to be equally divided between the poor of the pariſh where the offence ſhall be committed, and ſuch perſons as ſhall ſue for the ſame in any of his Majeſty's courts of record, and to be diſabled from taking the order of prieſt, by the ſpace of one whole year following. Conſecrating the elements.

XXXIV. *ſect.* 13. Provided that no title to confer or preſent by lapſe ſhall accrue by any avoidence or deprivation *ipſo facto* by this ſtatute, but after ſix months after notice of ſuch avoidance or deprivation given by the ordinary to the patron, or ſuch ſentence of deprivation openly and publickly read in the pariſh church of the benefice becoming void, or whereof the incumbent ſhall be deprived by this act. No lapſe till notice.

XXXV. *ſect.* 14. No form of common prayers, adminiſtration of ſacraments, rites or ceremonies, ſhall be openly uſed in any church, chapel, or other public place in any college or hall in any univerſity or college, other than what is appointed by the ſaid book. No other form of prayer.

(2) And every governor or head of any of the ſaid colleges or halls, within one month next after his election or admiſſion, ſhall publickly in the church, chapel, or other public place of the ſame college or hall, and in the preſence of the fellows and ſcholars, or the greater part of them then reſident, ſubſcribe to the 39 articles of religion, agreed upon by the archbiſhops and biſhops, and the clergy in the convocation holden at London, in the year of our Lord 1562, and unto the ſaid book; and declare his unfeigned aſſent and conſent unto and approbation of the ſaid articles, and of the ſame book, and to the uſe of all the prayers, rites, and ceremonies, forms, and orders in the ſaid book contained, according to the form aforeſaid. Subſcribing the articles.

(3) And

Reading the ſervice.

(3) And all ſuch governors or heads of the ſaid colleges and halls as ſhall be in holy orders, ſhall once at leaſt in every quarter, not having a lawful impediment, publickly read the morning prayer and ſervice by the ſaid book appointed to be read in the church, chapel, or other public place of the ſame college or hall, upon pain to be ſuſpended from all the profits belonging to the ſame government or headſhip by the ſpace of ſix months, by the viſitors.

Office void.

(4) And if any governor or head of any college or hall ſuſpended for not ſubſcribing unto the ſaid articles and book, or for not reading of the morning prayer and ſervice aforeſaid, ſhall not at or before the end of ſix months after ſuch ſuſpenſion, ſubſcribe to the ſaid articles and book, and declare his conſent thereunto, or read the morning prayer and ſervice aforeſaid, ſuch government or headſhip ſhall be *ipſo facto* void.

Foreign proteſtants.

XXXVI. *ſect.* 15. Provided that the penalties in this act ſhall not extend to the foreigners or aliens of the foreign reformed churches, allowed or to be allowed by the King, his heirs and ſucceſſors in this kingdom.

Latin form of prayer.

XXXVII. *ſect.* 16. Provided that it ſhall and may be lawful to uſe the morning and evening prayer, and all other ſervices preſcribed by the ſaid book in the chapels or other public places of any colleges, halls, or univerſities, and in the convocations of the clergy in Latin.

Lecturers to be licenced.

XXXVIII. *ſect.* 17. No perſon ſhall be a lecturer, or allowed to preach or read any ſermon or lecture in any church, chapel, or other place of public worſhip, unleſs he be firſt approved and thereunto licenſed by the archbiſhop of the province or biſhop of the dioceſe, or in caſe the ſee be void, by the guardian of the ſpiritualties, under his ſeal, and ſhall in the preſence of the archbiſhop, or biſhop, or guardian, read the 39 articles of religion abovementioned, with declaration of his unfeigned aſſent to the ſame.

Reading the common prayer.

(2) And every perſon who ſhall be licenſed or received as a lecturer in any church, chapel, or place of public worſhip, the firſt time he preacheth, before his ſermon ſhall publickly and ſolemnly read the common prayers and ſervice by the ſaid book appointed to be read for that time of the day, and then publickly declare his aſſent unto and approbation of the ſaid book; and to the uſe of all the prayers, rites and ceremonies, forms and orders therein contained and preſcribed, according to the form before appointed, and alſo ſhall upon the firſt lecture day of every month ſo long as he continues lecturer, before his ſermon publickly read the common prayers and ſervice in the ſaid book appointed, and after ſuch reading, ſhall publickly before the congregation there aſſembled, declare his unfeigned aſſent and conſent unto and approbation of the ſaid book.

Diſability on neglect.

(3) And every ſuch perſon who ſhall neglect to do the ſame, ſhall be diſabled to preach any other lecture or ſermon in any church, chapel, or place of publick worſhip, until they ſhall publickly read the common prayers and ſervice appointed by the ſaid book, and conform in all points to the things therein appointed.

Lecture in cathedral church.

XXXIX. *ſect.* 18. Provided that if the ſaid ſermon or lecture be to be preached or read in any cathedral or collegiate church or chapel, it ſhall be ſufficient for the ſaid lecturer openly at the time aforeſaid, to declare his aſſent and conſent to all things contained in the ſaid book, according to the form aforeſaid.

Preaching while diſabled.

XL. *ſect.* 19. If any perſon who is by this act diſabled to preach any lecture or ſermon, ſhall during the time that he ſhall continue ſo diſabled, preach any ſermon or lecture, the perſon ſo offending, ſhall ſuffer three months impriſonment in the common gaol, and any two juſtices of the peace, and the mayor or chief magiſtrate of any city or town corporate, upon certificate from the ordinary of the place made

made to them of the offence committed, ſhall commit the perſon ſo offending to gaol.

XLI. *ſect.* 20. At all times when any ſermon or lecture is to be preached, the common prayers and ſervice ſhall be publickly read by ſome prieſt or deacon in the church, chapel, or place of publick worſhip where the ſaid ſermon or lecture is to be preached, before ſuch lecture or ſermon be preached, and the lecturer then to preach ſhall be preſent at the reading thereof. Service before ſermon.

XLII. *ſect.* 21. This act ſhall *not* extend to the chapels in the univerſity or colleges that are or ſhall be in this realm, when any ſermon or lecture is preached or read in the ſaid chapels, as the public univerſity ſermon or lecture, but the ſame may be preached and read in ſuch manner as the ſame have been heretofore. Chapels in univerſities.

XLIII. *ſect.* 22. The ſtatute which hath been formerly made, and is now in force for the uniformity of prayer and adminiſtration of the ſacraments within this realm of Ireland, ſhall ſtand in force for the eſtabliſhing and confirming of the ſaid book of common prayer herein beforementioned, to be joined and annexed to this act, and ſhall be put in ure for the puniſhing of all offences contrary to the ſaid law, with relation to the book aforeſaid. Statute for uniformity.

XLIV. *ſect.* 23. In all thoſe prayers, litanies, and collects which relate to the King, Queen, royal progeny, or the lord lieutenant or chief governors of this kingdom, the names or titles *ſhall* be altered and fitted to the preſent occaſion, according to the direction of lawful authority. Collects for the King, &c.

XLV. *ſect.* 24. A true printed copy of the ſaid book of common prayer ſhall at the charge of the pariſhioners of every pariſh church and chaplery, cathedral church, college, collegiate church and hall, be attained and gotten upon pain of forfeiture of three pounds ſterling by the month for ſo long time as they ſhall be then after unprovided thereof, the ſaid forfeiture to be levied by the churchwardens, and employed for the reparation of the church, and relief of the poor. Printed copies at the pariſh charge.

XLVI. *ſect.* 25. All ſubſcriptions unto the articles by any deacon, prieſt, or eccleſiaſtical perſon, or other perſons who by this act or any other law is required to ſubſcribe unto the ſaid articles, ſhall be applied touching the ſix and thirtieth article unto the book containing the form of ordaining and conſecrating of biſhops, prieſts, and deacons in this act mentioned, in ſuch ſort as the ſame did heretofore extend unto the book ſet forth in the time of King Edward the ſixth, mentioned in the ſaid ſix and thirtieth article. *Eng. Stat.* 13 & 14 *Car.* 2. *cap.* 4. Subſcription to the articles.

XLVII. *Eng. Stat.* 5 *Ann. cap.* 5. *ſect.* 2. Every King or Queen ſucceeding to the royal government of the kingdom of Great Britain, at his or her coronation, ſhall in preſence of all perſons attending, aſſiſting, or then and there preſent, take and ſubſcribe an oath to maintain and preſerve inviolably the ſaid ſettlement of the church of England, and the doctrine, worſhip, diſcipline and government thereof as by law eſtabliſhed within the kingdoms of England and Ireland, the dominion of Wales and town of Berwick, and the territories thereunto belonging. Oath to preſerve the church.

XLVIII. *Stat.* 4 *Geo.* 1. *cap.* 3. *ſect.* 2. So much of the declaration deſcribed in an act of Parliament made in the ſeventeenth and eighteenth of Charles the ſecond, *for the uniformity of public prayers*, as is expreſſed in theſe words, Declaration altered.

I A. B. *do declare, that it is not lawful upon any pretence whatſoever to take arms againſt the King, and that I do abhor that traiterous poſition of taking arms by his authority againſt his perſon, or againſt thoſe that are commiſſioned by him.*

Shall not henceforth be required, nor any perſon ſuffer any penalty by the not ſubſcribing the ſaid recited part of the ſaid declaration.

Sheep.

Exporting ſheep.

I. *Eng. Stat.* 3 *Hen.* 6. *cap.* 2. No perſon ſhall be ſuffered to ſhip any ſheep, fleeced or ſhorn, to Flanders, or to any other part beyond the ſea.

Forfeiture of goods, &c.

II. *Eng. Stat.* 8 *Eliz. cap.* 3. *ſect.* 1. No perſon ſhall ſend or take into any ſhip any rams, ſheep, or lambs alive, to be carried out of England, Wales, or Ireland, or any of the Queen's dominions, upon pain that every ſuch perſon, their aiders, abettors, procurers, and comforters, ſhall for their firſt offence forfeit all their goods, the one moiety to the Queen, the other moiety to him that will ſue for the ſame.

One year's impriſonment.

III. *ſect.* 2. Every ſuch offender ſhall ſuffer impriſonment one year, and at the year's end ſhall in ſome market town, in the fulneſs of the market, have his left hand cut off, to be nailed up in the openeſt place of ſuch market; and every perſon eftſoons offending againſt this ſtatute, ſhall be adjudged a felon.

No corruption of blood.

IV. *ſect.* 3. Provided that this act ſhall not extend to any corruption of blood, or be prejudicial to any woman claiming dower.

Inquiry of offences

V. *ſect.* 4. The juſtices of oyer and terminer, juſtices of gaol-delivery, and juſtices of peace, ſhall have power to inquire of every offender contrary to this act, and to hear and determine every offence contrary to the ſame.

Pulling wool.

VI. *Eng. Stat.* 10 & 11 *Car.* 1. *cap.* 15. No perſon ſhall pull the wool of any living ſheep, inſtead of ſhearing or clipping of them; and the juſtices of aſſiſe at the general aſſiſes, and the juſtices of peace at their quarter-ſeſſions, ſhall have power to inquire of and determine offences contrary to this act, and to puniſh offenders, by fine and impriſonment, as they ſhall think fit.

See Tit. **Cattle**, **Wool**, &c.

Sheriffs.

Oath of office to be taken.

I. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 18. *ſect.* 2. Every under-ſheriff in any ſhire, before he intermeddle with the office, ſhall take an oath before the juſtices of aſſiſe, or the *cuſtos rotulorum*, or two juſtices of peace, one of the quorum, as followeth, viz.

Tenor of the oath.

I A. B. *ſhall not uſe or exerciſe the office of under-ſheriff corruptly during the time that I ſhall remain therein, neither ſhall or will accept, receive, or take by any colour, means, or device whatſoever, or conſent to the taking of any manner of fee or reward of any perſon or perſons, for the impanelling or returning of any inqueſt, jury, or* tales *in any court of record, for the King, or betwixt party and party, above* 2*s. or the value thereof, or ſuch fees as are allowed and appointed for the ſame by the laws and ſtatutes of this realm; but will according to my power, truly and indifferently with convenient ſpeed impanel all jurors, and return all ſuch writ or writs touching the ſame, as ſhall appertain to be done by my duty or office, during the time that I ſhall remain in the ſaid office.*

So help me God.

Bailiffs, deputies, &c. to be ſworn.

II. *ſect.* 4. Every bailiff of franchiſe, deputy and clerk of every ſheriff and under-ſheriff, and every other perſon which ſhall impanel or return any inqueſt, jury, or *tales*, or intermeddle with execution of proceſs in any court of record, ſhall take the oaths aforeſaid, before the perſons appointed by this act, or before the head officer of the place, if it be a town-corporate, changing the words *the office of under-ſheriff*, to words convenient for the office.

Forfeiture.

(2) And if any the ſaid perſons do impanel or return any inqueſt, jury, or *tales*, or intermeddle with the execution of proceſs, not having taken the oath aforeſaid, ſuch perſon ſhall forfeit 40*l.* the one moiety to the uſe of the *King*, the other moiety to him that will ſue for the ſame.

III. *ſect.*

III. *ſect.* 5. If any under-ſheriff, or other perſon mentioned in this act, ſhall do any act contrary to the oath aforeſaid, or this act, ſuch perſon offending ſhall forfeit to the party grieved, his treble damages, which forfeiture may be recovered in any of the King's courts of record. Treble damages to party.

IV. *ſect.* 6. The juſtices of aſſiſe, and juſtices of peace in their ſeſſions, ſhall have power to hear and determine the defaults contrary to this act, as well by preſentment and information, as indictment. *Eng. Stat.* 27 *Eliz. cap.* 12. Defaults indictable, &c.

V. *Stat.* 10 *Car.* 1. *ſeſſ.* 3. *cap.* 19. *ſect.* 1. It ſhall not be lawful for any ſheriff, under-ſheriff, bailiff of liberties, their officers, ſervants or deputies, by colour of their offices, to take for the ſerving of any extent or execution upon the body, lands, or goods of any perſon, more than in this act is appointed, viz. 12 d for every 20 s. where the ſum exceedeth not 100 l. and 6 d. for every 20 s. above 100 l. that he ſhall levy and deliver in execution, or take the body in execution for. Fees upon executions.

(2) Upon pain that every ſheriff, &c. which ſhall do the contrary, ſhall forfeit to the party grieved his treble damage, and ſhall forfeit 40 l. the one moiety thereof to the King, and the other moiety to the party that will ſue for the ſame. *Eng. Stat.* 29 *Eliz. cap.* 4. Treble damages.

VI. *Stat.* 7 *Will.* 3. *cap.* 13. *ſect.* 1. Every ſheriff who ſhall paſs his accounts and have his *quietus eſt*, his heirs, executors, and adminiſtrators, lands, goods, and chattels, ſhall be diſcharged of all ſums of money which he ſhall have levied or received, and pretended not to be accounted for, unleſs ſuch ſheriff ſhall be called in queſtion within four years after the time of ſuch account paſſed, and *quietus eſt*. Sc it againſt ſheriffs to be in four years.

(2) And every officer that ſhall ſend out any writ or proceſs, or by whoſe default any writ or proceſs ſhall be ſent out contrary to this act, ſhall for every ſuch offence forfeit to the party grieved forty pounds, with his coſts and damages, to be recovered in any of his Majeſty's courts of record at Dublin, at the election of the proſecutors, wherein no privilege, eſſoign, &c. ſhall be allowed. Officers iſſuing proceſs.

VII. *ſect.* 2. Every ſuch offender being three times convicted of ſuch offences contrary to this act, ſhall be diſabled to hold or execute, by himſelf or deputies, any office or employment in any court of juſtice. *Eng. Stat.* 21 *Jac.* 1. *cap.* 5. Diſability after three convictions.

VIII. *ſect.* 3. No ſheriff or ſub-ſheriff ſhall exerciſe the office of juſtice of the peace in the ſame county where they ſhall be ſheriff or ſub-ſheriff during the time that they ſhall exerciſe the office of ſheriff. Not to act as juſtices of peace.

(2) And all acts as a juſtice of the peace by any ſuch ſheriff or ſub-ſheriff, during the time of his being ſheriff or ſub-ſheriff, ſhall be void, and ſhall forfeit for every ſuch offence twenty pounds, one moiety to the uſe of his Majeſty, the other moiety to him who ſhall ſue for and recover the ſame in any of his Majeſty's courts of record at Dublin. *Eng. Stat.* 1 *Mar. ſtat.* 2. *cap.* 8. Acts, as juſtices, void.

IX. *Stat.* 11 *Ann. cap.* 8 *ſect.* 1. All the laws and ſtatutes now in force touching the execution of the office of under-ſheriff, or ſheriffs clerk, and not hereby altered or repealed, ſhall be duly put in execution, and under the penalties therein contained. Confirmation of former laws.

X. *ſect.* 2. No perſon ſhall be admitted into, or ſhall by himſelf, or any under him, or in truſt for him, or to his uſe, the office of an under ſheriff, ſheriffs clerk, or county clerk, who hath within three years before his admiſſion therein executed any of the ſaid offices within the ſaid county, or county of a city or town. Under ſheriffs once in 3 years.

(2) And if any perſon ſhall offend herein, he ſhall forfeit for every ſuch offence five hundred pounds, to be recovered in any of her Majeſty's four courts of Dublin, wherein no eſſoign, &c. ſhall be allowed, the one moiety thereof to be applied to Penalty of 500 l.

the uſe of the work-houſe, or houſe of correction of ſuch county, or county of a city wherein ſuch offence ſhall be committed, the other moiety to the uſe of them that will ſue for the ſame in any of her Majeſty's four courts at Dublin, by action, &c. grounded on this ſtatute, unto which the judges of the court wherein the ſame ſhall be brought are required upon affidavit made of ſuch offence, to hold the defendant to give ſufficient bail, and if judgment be given againſt the defendant, he is hereby adjudged, and made for ever incapable of acting as under-ſheriff, ſheriffs clerk, or county clerk in any county.

Recognizance by under-ſheriffs.

XI. *ſect.* 3. All perſons who ſhall be appointed under-ſheriffs, ſheriffs clerks, or county clerk within any county, or county of a city or town, ſhall before they officiate, or in any manner execute the ſaid office enter into a recognizance to her Majeſty with ſufficient ſecurity, in the penalty of two hundred pounds, before a maſter of the chancery, or before a maſter extraordinary for taking affidavits in the country, conditioned, that he has not taken the ſaid office to the uſe, or in truſt for any perſon who was under-ſheriff or ſheriffs clerk, or executed either of the ſaid offices in the ſaid county, or county of a city or town, within three years then next preceding, or any other perſon in truſt for ſuch preceding ſheriff, and that he will execute the ſame in perſon, and that all the fees, perquiſites, and advantages are entirely to his own proper uſe, or to the uſe of the high ſheriff, and that he neither will forbear, poſtpone, or delay the execution or return of any writ or proceſs that ſhall come to his hands, or be lodged in the ſheriffs office, for any gratuity or other conſideration, which recognizance ſhall be in two months after the taking thereof returned into her Majeſty's court of exchequer, for the recording of which ſhall be received two ſhillings and ſixpence, and no more.

Oath to be taken.

XII. *ſect.* 4. Before ſuch under ſheriff, ſheriffs clerk, or county clerk ſhall take upon him ſuch office, or any way officiate therein, they ſhall take the oath following before ſuch perſons before whom he ſhall enter into ſuch recognizance, to wit,

Tenor of the oath.

I A. B. *Do ſwear, that neither I, nor any perſon in truſt for me, or for my uſe or benefit, have executed the office or duty of under-ſheriff, ſheriff's clerk, or county clerk, within the county of or any way officiated, or acted in any of the ſaid offices at any time within three years laſt paſt, and that I have not taken the ſaid office or employment to the uſe of, or in truſt for any perſon or perſons who was or hath been under-ſheriff, or ſheriff's clerk, or executed either of the ſaid offices or employments in the ſaid county of within the ſpace of three years laſt paſt, or any perſon or perſons in truſt for me, and that I will execute the ſaid office in perſon, and that all the fees and perquiſites, benefits and advantages, of what nature and kind ſoever belonging to the ſaid office, ſhall be taken to my own uſe, benefit and advantage, or the uſe of the high ſheriff, and that I, neither ſhall or will forbear, poſtpone, or delay the execution or return of any writ or proceſs, that ſhall come to my hands, or be lodged in the ſheriffs office, for any gratuity, reward, or other conſideration whatſoever.*

Penalty of acting before ſworn.

XIII. *ſect.* 5. If any ſuch under-ſheriff, ſheriffs clerk, or county clerk, or any other perſon ſhall execute ſuch office, or any way officiate therein, before he ſhall have entered into ſuch recognizance, and taken ſuch oath, ſuch perſon officiating as aforeſaid, ſhall forfeit for every ſuch offence five hundred pounds, to be recovered in ſuch manner, and to go to ſuch uſes, and to ſuch perſons as the penalty beforementioned.

Conviction of ſwearing falſely.

XIV. *ſect.* 6. If any ſuch under-ſheriff, ſheriffs clerk, or county clerk, or other perſon officiating as aforeſaid, after having taken ſuch oath, ſhall be convicted upon indictment or information, of having executed the ſaid office within the county, or

county

county of a city or town, within three years before he took ſuch oath, ſuch perſon ſhall ſuffer ſuch penalties as a perſon convicted of wilful perjury.

XV. *ſect.* 7. No under-ſheriff, or ſheriffs clerk, or any in truſt for them, ſhall officiate as clerk of the peace for the ſame county he ſhall ſo act as under-ſheriff, under the penalty of five hundred pounds for every time he ſhall ſo act, to be recovered by ſuch perſons who will ſue for the ſame in any of her Majeſty's four courts of Dublin, by bill, plaint, or information, in which no eſſoign, &c. ſhall be allowed, and to be diſtributed as aforeſaid. Not to act as clerks of the peace.

XVI. *Stat.* 12 *Geo.* 1. *cap.* 4. *ſect.* 1. The ſeveral officers of chancery and court of exchequer, and their reſpective deputies, clerks, and all other officers claiming any fee from any ſheriff or ſub-ſheriff for making out their patents, or the *dedimus* for ſwearing them into their office, or for entering their recognizance or ſecurity, or for writing out and return of their proceſs, or for their appoſals or caſting out of court, or for paſſing their accounts, or for making their *quietus eſt*, or for any other matter concerning their ſheriffalty, may take the ſeveral fees in the ſchedule hereafter ſpecified, beſides the allowance on the eſtabliſhment, and ſhall not demand or receive any greater fee. Fees of officers of the courts.

(2) And if any perſon ſhall offend therein, ſuch perſon ſhall forfeit to the party aggrieved five pounds, and treble the ſum by him taken over and above the juſt fees mentioned in the ſaid ſchedule, together with his treble coſts, all which ſhall be awarded and given to the party aggrieved by the court of exchequer, on complaint and proof of ſuch offence made before the barons of the ſaid court, in ſuch ſhort and ſummary method as to them ſhall ſeem meet. Penalty on complaint, &c.

XVII. *ſect.* 2. All ſheriffs who ſhall levy any debts, duties, or money, except poſt fines due to his Majeſty, by proceſs to them directed upon the ſummons of the pipe or green wax by *levari facias* out of the exchequer, ſhall have an allowance upon their accounts of twelve pence out of every twenty ſhillings, for any ſum not exceeding one hundred pounds by them levied or collected, and ſix pence for every twenty ſhillings over and above the firſt hundred pounds, and for all debts, duties, and ſums of money, except poſt fines, due to his Majeſty by proceſs and *fieri facias*, and extent iſſuing out of any of the offices of the court of exchequer, one ſhilling and ſix pence out of every twenty ſhillings for any ſum not exceeding one hundred pounds by them levied or collected, and twelve pence for every twenty ſhillings over and above the firſt hundred pounds. Allowances on money levied.

XVIII. *ſect.* 3. Provided ſuch ſheriff ſhall duly anſwer for the ſame upon his account, by the day on which he ought to be diſmiſſed the court, or in ſuch time to which he ſhall have a day granted by the court to finiſh his account. Anſwering account.

XIX. *ſect.* 4. No ſheriff or ſub-ſheriff ſhall be attached by any officer of the court of exchequer or other perſon, for not being appoſed on any writ or proceſs for not finiſhing his accounts in due time, or for any contempt or neglect relating to his account, but by writ under the ſeal of the ſaid court, or by warrant for that purpoſe to be ſigned by the lord chief baron, or in his abſence by either of the other barons, to be executed by the purſuivant of the court, or his deputy, in which warrant the name of ſuch ſheriff or ſub-ſheriff ſhall be particularly inſerted, and his offence particularly ſpecified. Attachments to be by writ.

XX. *ſect.* 5. If any officer or other perſon concerned in the paſſing ſheriffs accounts, ſhall wilfully retard or hinder any ſheriff in the paſſing his accounts, or by his wilful neglect, abſence, or other undue means, prevent any ſheriff from being appoſed or caſt out of court in due time, or after payment or tender of their due fees herein aſcertained, ſhall neglect to inrol, make out, ſign and deliver, his *quietus* in due Retarding ſheriffs accounts.

due time, in every ſuch caſe the perſons ſo offending ſhall make ſuch recompence to the party aggrieved, as ſhall be ordered by the barons of the exchequer, upon complaint thereof exhibited before them in ſuch ſummary method as to them ſhall ſeem meet.

High ſheriff dying in his office.

XXI. *ſect.* 6. If any high ſheriff ſhall die before he be ſuperſeded, in ſuch caſe the under-ſheriff by him appointed ſhall continue in his office, and ſhall execute the ſame in the name of the deceaſed ſheriff until another ſheriff be appointed and ſworn as is herein after directed, and the ſaid under-ſheriff ſhall be anſwerable for the execution of the ſaid office in all reſpects during ſuch interval, as the high ſheriff ſo deceaſed would have been, and the ſecurity given to the high ſheriff ſo deceaſed, by the ſaid under-ſheriff and his pledges, ſhall ſtand a ſecurity to the King and to all perſons, for ſuch under ſheriffs due performance of his office during ſuch interval.

Farming the office of ſub-ſheriff.

XXII. *ſect.* 7. It ſhall not be lawful for any perſons to buy, ſell, let or take to farm the office of ſub-ſheriff or under-ſheriff, deputy-ſheriff, ſeal keeper, county clerk, ſhire clerk, gaoler, bailiff, or any other place pertaining to the office of high ſheriff, or to contract for promiſe or grant for money, or other reward or benefit the ſaid offices or places, or any of them, or to give, take, promiſe, or receive any other conſideration for the ſaid offices, or any of them, directly or indirectly, by themſelves, or any perſon in truſt for them, or for their uſe, and whoſoever ſhall offend therein ſhall forfeit five hundred pounds, a moiety whereof to his Majeſty, and the other moiety thereof to ſuch perſons as ſhall ſue for the ſame, to be recovered by action in any of his Majeſty's courts of record at Dublin, in which no eſſoign, &c. ſhall be allowed.

Suit in 2 years.

XXIII. *ſect.* 8. Provided that ſuch ſuit be commenced within two years after ſuch offence committed.

Savings to ſheriffs, &c.

XXIV. *ſect.* 9. Nothing herein before contained ſhall prevent ſuch high ſheriff from conſtituting a ſub-ſheriff, under-ſheriff, or deputy-ſheriff, to act in his ſtead, as by law he ought to do, nor to hinder the ſub-ſheriff or under-ſheriff in caſe of the high ſheriff's death, when he acts as high ſheriff from conſtituting a deputy which he is hereby impowered to do, nor to prevent or abridge ſuch ſheriff, ſub-ſheriff, or under-ſheriff, from demanding or receiving the lawful fees and perquiſites of the office of ſheriff, or any employment pertaining thereunto, or appointing any ſuch officer, or from taking ſecurity for the due anſwering the ſame, nor to diſcharge or prevent ſuch ſub-ſheriff, under-ſheriff, deputy-ſheriff, ſeal-keeper, county clerk, ſhire clerk, gaoler, bailiff, or other perſon executing any office under ſuch ſheriff, from accounting to the high ſheriff for all ſuch lawful fees and perquiſites as ſhall by them be received in their reſpective offices, nor for giving ſecurity ſo to do, nor to hinder the high ſheriff from allowing or ſecuring ſuch ſalary or recompence to his ſub-ſheriff or under-ſheriff, deputy-ſheriff, ſeal keeper, county clerk, ſhire clerk, gaoler, bailiff, or other officer, for the execution of the ſaid offices, as to him ſhall ſeem meet, nor to hinder the under-ſheriff or other officer aforementioned, from taking ſuch ſalary or recompence for their pains and ſervices.

Returns of eſtreats.

XXV. *ſect.* 10. It ſhall be lawful for the barons of the exchequer to amerce clerks of aſſiſe, clerks of the peace, or other perſon to whom it may belong, to make returns of eſtreats into the ſaid court of exchequer, for neglecting or omitting to perform their duty in returning the ſaid eſtreats, and to cauſe the ſaid amerciaments to be levied by ſuch means as other amerciaments ſet in the ſaid court have been uſed to be done.

No fees from the perſons who pay money.

XXVI. *ſect.* 11. No ſheriff, ſub-ſheriff, bailiff, or other perſon employed in levying or collecting any the ſaid debts, duties, or money, ſhall aſk or receive any fee, gratuity, or reward of the perſons liable to pay the ſaid debts, or of any other

perſon

perſon upon pretence of ſuch levying or collecting, except four pence only for an acquittance for ſuch ſum as ſhall be ſo levied, which acquittance ſuch officer is required to give to the perſon from whom ſuch debts ſhall be received.

(2) And the bailiff or perſon receiving ſuch debt or money ſhall account for the ſame to the ſheriff or his ſub-ſheriff, or deputy, and may require an acquittance from ſuch ſheriff or his deputy for ſuch ſum, who are required to give the ſame without any fee or reward, from which debts ſo levied, the ſaid ſheriffs ſhall effectually diſcharge the ſaid debtors, by totting and anſwering the ſame to his Majeſty upon their reſpective accounts in the exchequer. Bailiffs to account.

(3) And in caſe any ſheriff, &c. ſhall *nihil*, or not duly anſwer to the crown any debt or money ſo levied, ſuch ſheriff, &c. for every ſuch offence ſhall forfeit treble damages to the party aggrieved, and double the ſum which is *nihiled*, or not duly anſwered as aforeſaid, which ſaid damages and penalty ſhall be decreed and given to the perſon aggrieved by the court of exchequer, on complaint and proof of ſuch abuſe made, before the barons of the ſaid court, in ſuch ſummary way as to them ſhall ſeem meet. *Nihiling* money received.

(4) And in caſe any ſheriff, bailiff, or other perſon, ſhall demand or receive any money, be the ſame more or leſs, of any perſon from whom any debt ſhall be payable to the crown by proceſs out of the court of exchequer, upon pretence of executing the ſaid proceſs, or upon pretence of fees due to them for collecting or receiving the ſame contrary to this act, or if any of the officers or perſons aforeſaid, ſhall demand and receive any money for not levying, or forbearing to levy any debts or money, which ſhall be due to his Majeſty, and written out to them by the proceſs aforeſaid, every perſon ſo offending, and being thereof convicted, ſhall be adjudged to be guilty of extortion, and ſhall forfeit for every ſuch offence treble damages and coſts to the party aggrieved, and double the ſum ſo extorted; all which damages and penalties ſhall be decreed and given by the barons of the exchequer, upon complaint and proof of ſuch extortion made before them, in ſuch ſummary method as to them ſhall ſeem meet, provided ſuch conviction be had within two years after ſuch offence committed Penalty of extortion.

XXVII. *ſect.* 12. Nothing in this act contained ſhall deprive any ſheriff of ſuch poundage, as is allowed to them by virtue of this or any other act of parliament, but the ſaid ſheriffs may enjoy the full benefit of ſuch allowance without any impeachment. Poundage allowed.

XXVIII. *ſect.* 13. Whatever orders ſhall be made by the barons of the exchequer, for coſts, damages, and penalties, in any caſe in this act mentioned, in purſuance of this act, in ſuch ſummary method as is herein before preſcribed, ſhall have the ſame force as any other decree of the ſame court, and the ſaid coſts, damages, and penalties, ſhall be levied by ſuch proceſs and methods as are uſed in the ſaid court to enforce a compliance with any other orders or decrees of the ſame. Proceſs for coſts, &c.

XXIX. *ſect.* 14. Inſtead of the oath uſually adminiſtered to ſheriffs at the entering upon their offices, the following oath ſhall be taken by them. New oath appointed.

I A. B. *do ſwear, that I will well and truly ſerve the King's Majeſty in the office of ſheriff of the county of and promote his Majeſty's profit in all things that belong to my office, as far as I legally can or may; I will truly preſerve the King's rights, and all that belongeth to the crown, I will not aſſent to leſſen or conceal the King's rights, or the rights of his franchiſes, and whenſoever I ſhall know that the rights of the crown are concealed or withdrawn, be it in lands, rents, franchiſes, ſuits or ſervices, or in any other matter or thing, I will do my utmoſt to have them reſtored to the crown again, and if I may not do it myſelf, I will certify and inform the King thereof.* Tenor of the oath.

thereof, or ſome of his judges; I will not reſpite or delay to levy the King's debts for any gift, promiſe, reward, or favour, where I may raiſe the ſame without great grievance to the debtors; I will do right as well to poor as to rich, in all things belonging to my office; I will do no wrong to any man, for any gift, reward, or promiſe, nor for favour or hatred; I will diſturb no man's right, and will truly and faithfully acquit at the exchequer all thoſe of whom I ſhall receive any debts or duties belonging to the crown; I will take nothing whereby the King may loſe, or whereby his right may be diſturbed, injured, or delayed; I will truly return, and truly ſerve all the King's writs according to the beſt of my ſkill and knowledge; I will take no bailiffs into my ſervice but ſuch as I will anſwer for, and will cauſe each of them to take ſuch oaths as I do in what belongeth to their buſineſs and occupation; I will truly ſet and return reaſonable and due iſſues of them that be within my bailiwick, according to their eſtate and circumſtances, and make due panels of perſons able and ſufficient, and not ſuſpected or procured as is appointed by the ſtatutes of this realm; I have not ſold nor let to farm, nor contracted for, nor have I granted or promiſed for reward or benefit, nor will I ſell or let to farm, nor contract for or grant for reward or benefit by myſelf or any other perſon for me, or for my uſe, directly or indirectly, my ſheriff-wick, or any bailiwick thereof, or any office belonging thereunto, or the profits of the ſame to any perſon or perſons whatſoever; I will truly and diligently execute the good laws and ſtatutes of this realm, and in all things well and truly behave myſelf in my office for the honour of the King, and the good of his ſubjects, and diſcharge the ſame according to the beſt of my ſkill and power.

So help me God.

Oath for ſub-ſheriffs.

XXX. *ſect.* 15. And the following oath ſhall be taken by all ſub-ſheriffs or under-ſheriffs before they enter upon the execution of their offices, viz.

Tenor of the oath.

I A. B. *do ſwear, that I will well and truly ſerve the King's Majeſty in the office of under ſheriff of the county of S. and promote his Majeſty's profit in all things that belong to the ſaid office, as far as I legally can or may; I will preſerve the King's rights, and all that belongs to the crown, I will not aſſent to leſſen or conceal the King's rights, or the rights or his franchiſes, and whenſoever I ſhall know that the rights of the crown are concealed or withdrawn, be it in lands, rents, franchiſes, ſuits or ſervices, or in any other matter or thing, I will do my utmoſt to make them to be reſtored to the crown again, and if I may not do it myſelf, I will certify and inform ſome of his Majeſty's judges thereof; I will not reſpite or delay to levy the King's debts for any gift, promiſe, reward or favour, where I may raiſe the ſame without great grievance to the debtors; I will do right as well to poor as to rich, in all things belonging to my office; I will do no wrong to any man for any gift, reward, or promiſe, nor for favour or hatred; I will diſturb no man's right, and will truly and faithfully acquit at the exchequer all thoſe of whom I ſhall receive any debt, duties, or ſums of money belonging to the crown; I will take nothing whereby the King may loſe, or whereby his right may be diſturbed, injured, or delayed; I will truly return and truly ſerve all the King's writs to the beſt of my ſkill and knowledge; I will truly ſet and return reaſonable and due iſſues of them that be within my bailiwick, according to their eſtates and circumſtances, and make due panels of perſons able and ſufficient, and not ſuſpected or procured, as is appointed by the ſtatutes of this realm; I have not bought, purchaſed, or taken to farm, or contracted for, nor have I promiſed or given any conſideration, nor will I buy, purchaſe, or take to farm, or contract for, promiſe, or give any conſideration whatever, by myſelf or any other perſon for me, or for my uſe directly or indirectly to any perſon or perſons whatſoever, for the office of under-ſheriff of the county of S. which I am now to enter upon and enjoy, nor for the profits of the ſame, nor for any*

bailiwick

bailiwick thereof, or any other office or place belonging thereunto; I have not ſold or contracted for, or let to farm, nor have I granted or promiſed for reward or benefit by myſelf or any other perſon for me, or for my uſe directly or indirectly any bailiwick thereof, or any other place or office belonging thereunto; I will truly and diligently execute the good laws and ſtatutes of this kingdom, and in all things well and truly behave my ſelf in my ſaid office, for his Majeſty's advantage, and for the good of his ſubjects, and diſcharge my whole duty according to the beſt of my ſkill and power.

So help me God.

XXXI. *ſect.* 16. The ſaid ſeveral oaths appointed to be taken by the high ſheriff, ſub-ſheriff, and under-ſheriff, ſhall be adminiſtered by ſuch commiſſioners as ſhall be authorized to adminiſter the foregoing oath to the high ſheriff, when a commiſſion or *dedimus* ſhall be ſued forth of the proper court for that purpoſe, or by the barons of the exchequer, or one of them, when the ſaid ſheriffs ſhall deſire to be ſworn in town. Adminiſtering the oaths.

The SCHEDULE or LIST in the ACT mentioned.

A ſchedule of fees to be paid for paſſing the patents of the ſeveral ſheriffs of the ſeveral counties in the kingdom of Ireland. Schedule of fees

To the ſecretary, to the lord lieutenant, or other chief governor or governors of this kingdom, for the time being.

For warrant for the patent, one pound ſix ſhillings	1	6	0
To his clerk, five ſhillings and five pence	0	5	5

To the lord chancellor's ſecretary.

For the warrant to the hanaper, thirteen ſhillings and ſix pence	0	13	6

To the clerk of the crown and hanaper, to be diſtributed, viz.

King's ſilver, ten ſhillings	0	10	0
Lord chancellor, two ſhillings	0	2	0
His own fee for engroſſing the patent, two pounds two ſhillings and eight pence	2	2	8
To his clerk, five ſhillings and five pence	0	5	5
To the purſuivant of the court of chancery, ſix ſhillings and eight pence	0	6	8
To the lord chancellor's purſe-bearer, three ſhillings and ſix pence	0	3	6
To the lord chancellor's train-bearer, five ſhillings	0	5	0
To the lord chancellor's porter, one ſhilling	0	1	0
Chaff wax, two ſhillings	0	2	0
Three pounds eighteen ſhillings and three pence	3	18	3

To the chief baron and his clerk.

For taking the recognizance, fifteen ſhillings and ten pence	0	15	10
To the chief remembrancer for entering the recognizance, two ſhillings and ſix pence	0	2	6
Total of the ſaid fees for paſſing the patent of the high ſheriff of each county, ſeven pounds one ſhilling and ſix pence	7	1	6

A ſchedule of fees to be paid by the ſheriffs of the ſeveral counties of Ireland, for paſſing their ſeveral accounts.

To the auditor-general's clerk, over and above the allowance on the eſtabliſhment, ſix ſhillings and eight pence			0 6 8
To the ſecondaries and clerks to the clerk of the pipe, over and above the allowance on the eſtabliſhment, for making up the great roll for the ſheriff's appoſal, and making out the ſheriff's *quietus eſt*, one pound two ſhillings and four pence			1 2 4
To the clerks in the office of the comptroller of the pipe, over and above the allowance on the eſtabliſhment, eleven ſhillings and eight pence			0 11 8
To each of the baron's clerks on ſigning the tranſcript, two ſhilling and ſix pence	0 2 6		
Seven ſhillings and ſix pence			0 7 6
To the clerk and ſecondaries in the chief and King's remembrancer's office, over and above the allowance on the eſtabliſhment, three ſhillings and four pence			0 3 4
To the clerks and ſecondaries in the ſecond and treaſurers remembrancer's office, over and above the allowance on the eſtabliſhment, one pound			1 0 0
To the clerks and ſecondaries in the clerk of the firſt fruits office, over and above the allowance on the eſtabliſhment, three ſhillings and four pence			0 3 4
To the clerks and ſecondaries in the foreign appoſer's office, over and above the allowance on the eſtabliſhment, ſix ſhillings and eight pence			0 6 8
To the clerk and ſecondaries in the ſummoniſter's office, over and above the allowance on the eſtabliſhment, one pound ten pence			1 0 10
To the cryer of the exchequer on the ſheriff's appoſal, two ſhillings and ſix pence			0 2 6
To the keeper of the court of exchequer, one ſhilling and a penny			0 1 1
To the tipſtaff of the court of exchequer, one ſhilling and a penny			0 1 1
Total of the ſaid fees for paſſing the accounts of the high ſheriff of each county, five pounds ſeven ſhillings			5 7 0

Brit. Stat. 3 Geo. 1. cap. 15.

Officiating as ſub ſheriff, within three years.

XXXII. *Stat. 3 Geo. 2. cap. 7. ſect. 1.* Every perſon who ſhall act or officiate as under-ſheriff, ſheriff's clerk or county clerk, in truſt for, or to the uſe of any perſon whom they ſo officiating ſhall know to have been under-ſheriff, ſheriff's clerk or county clerk of the ſame county, county of a city or town, within three years before; and every high ſheriff who ſhall appoint ſuch perſon, under-ſheriff, ſheriff's clerk or county clerk, knowing that ſuch perſon is intended to act in the ſaid office, in truſt for, or to the uſe of ſuch under-ſheriff, ſheriff's clerk or county clerk, as aforeſaid, are made liable to the ſame penalties, and to the ſame remedy for recovery thereof, as by the act 11 *Ann. cap.* 8. are given againſt ſuch under-ſheriff, ſheriff's-clerk or county clerk.

Bills in equity for diſcovery.

(2) And any perſons may prefer bills in the court of chancery or exchequer againſt any high ſheriff, under-ſheriff, ſheriff's clerk or county clerk, and every perſon who ſhall

ſhall act or officiate in truſt for or to the uſe of ſuch under ſheriff, ſheriffs clerk, or county clerk, or ſhall be any way concerned therein or privy thereto, to compel ſuch high ſheriff, under ſheriff, and every ſuch perſon as is aforeſaid, to diſcover ſuch truſts, and to anſwer all matters relating thereto, as by ſuch bills ſhall be required to the diſcovery ſought, to which bills no plea or demurrer ſhall be allowed, but the defendants ſhall anſwer the ſame at large upon oath, which anſwers ſhall be good evidence againſt the defendants reſpectively making the ſame in any actions or informations to be brought upon this or the ſaid recited act; if ſuch bills appear to be vexatious, the ſaid courts ſhall diſmiſs the ſame with full coſts.

Appointing barony clerks.

XXXIII. *ſect.* 3. No ſheriff ſhall appoint any perſon to be a barony clerk within his county, and in caſe of ſuch appointment no perſon ſhall take upon him to hold any court, or exerciſe any power or authority under colour thereof, and if any ſheriff offend herein, he ſhall forfeit for every ſuch offence fifty pounds, which ſum may be recovered by action in any of his Majeſty's Four-courts in Dublin, wherein no eſſoign, &c. ſhall be allowed by any perſons who ſhall ſue for the ſame.

Penalty for exerciſing the office.

(2) And if any perſon ſhall take upon him to exerciſe the ſaid pretended office of barony-clerk, upon information given thereof upon oath unto any juſtice of the peace of the county within which he ſhall ſo exerciſe the ſame, ſuch juſtice ſhall, upon ſuch information, unleſs ſufficient bail ſhall be given by ſuch offender, commit him to the county gaol, until the next aſſiſes to be held for the ſaid county, where if he ſhall be convicted of ſuch offence, the judges of aſſiſe before whom he ſhall be ſo convicted, ſhall commit him to the ſaid county gaol for three months, and ſhall alſo fine him for ſuch offence in a ſum not exceeding fifty pounds.

Deputies to grant replevins.

XXXIV. *ſect.* 4. The ſheriff of every county not being a city, ſhall within one month after his entring upon his office, appoint four deputies at the leaſt, in the moſt convenient places of the county, who ſhall have authority in the ſheriff's name to grant replevins, and make deliverance of all diſtreſſes in ſuch manner as the ſheriff ought to do, upon pain that every ſheriff for every month during which he ſhall not have four ſuch deputies, ſhall forfeit ten pounds to ſuch perſons as ſhall firſt ſue for the ſame, to be recovered by civil bill.

No gratuity to be taken.

XXXV. *ſect.* 5. No ſheriff or ſub-ſheriff, or any perſon for their uſe, ſhall receive any fee, gratuity or reward, on account of appointing any deputy to grant replevins as aforeſaid; and in caſe any ſuch ſheriff or ſub-ſheriff, or other perſons, ſhall take any fee, gratuity or reward for appointing ſuch deputy, ſuch ſheriff or ſub-ſheriff ſhall forfeit fifty pounds, to be recovered by ſuch perſons who ſhall firſt ſue for the ſame, by action, &c. in any of his Majeſty's Four-courts in Dublin, wherein no eſſoign, &c. ſhall be allowed, one moiety thereof to his Majeſty, and the other moiety to the informer.

Continuation of a former clauſe.

XXXVI. *Stat.* 1 *Geo.* 3. *cap.* 17. *ſect.* 1. So much of the act made in the third year of the reign of his late Majeſty, *for the further explaining and amending ſeveral ſtatutes for prohibiting under ſheriffs, and ſheriffs clerks, from officiating as ſub-ſheriff, or ſheriffs clerk, more than one year*, &c. as relates to the preferring of any bill in the courts of chancery or exchequer, for the diſcovery of any offence againſt the ſaid act of the third year of his ſaid late Majeſty, or againſt an act therein mentioned of the tenth year of the reign of her late Majeſty Queen Anne, and as obliges any perſon to anſwer the ſame at large, without pleading or demurring thereto, ſhall be revived and continued from the firſt day of May 1762, for ſeven years, and from thence to the end of the then next ſeſſion of parliament.

Sub ſheriffs not paying money,

XXXVII. *Stat.* 23 *Geo.* 2. *cap.* 13. *ſect.* 2. If any perſon who ſhall be high ſheriff of any county, or county of a city or town-corporate, ſhall pay his ſub-ſheriff or

attorney any money, in order to be by them paid over in diſcharge of the accounts of ſuch high ſheriff and ſuch ſub-ſheriff or attornies, ſhall neglect to pay over into the treaſury the ſums ſo to them intruſted, or which ſuch ſub-ſheriff or attorney ſhall receive on account of ſuch high ſheriff, and to procure to be taken off at their own coſts and charges all fines laid on ſuch high ſheriff, on account of his not paying in the ſums ſo received, within ſix months from the time that any ſuch ſums ſhall be ſo paid to ſuch ſub-ſheriff or attorney, ſuch ſub-ſheriff or attorney ſhall, for ever after ſuch failure or neglect, be diſabled to take or execute the office of ſub ſheriff.

Enlarging the time for payment.

XXXVIII. *ſect.* 3. Provided that if any ſub-ſheriff or attorney ſhall apply by motion to the court of exchequer, to enlarge his time for paying in ſuch money, and taking off ſuch fines, the ſaid court may upon proof by affidavit that the high ſheriff, to be affected by ſuch motion, hath had due notice of ſuch intended application, examine into the matter, and thereupon grant to the perſon ſo applying ſuch further time for paying in the ſums, and taking off the fines before mentioned, as to them ſhall appear reaſonable, and in caſe the ſums ſo received ſhall not be paid in, and all ſuch fines taken off, within the time ſo allowed by the court, every ſub-ſheriff and attorney, for ſuch his neglect, ſhall be liable to the penalties and diſabilities aforeſaid.

Acting after diſability.

XXXIX. *ſect.* 4. Any perſon who ſhall incur the diſabilities aforeſaid, or either of them, and ſhall after ſuch diſability take upon him the office of ſub-ſheriff of any county or city in this kingdom, and ſhall be thereof convicted, ſhall, for every ſuch offence, forfeit five hundred pounds, one moiety whereof ſhall go to his Majeſty, and the other to ſuch perſons who ſhall ſue for the ſame.

Sub-ſheriffs of Dublin, once in ten years.

XL. *Stat.* 29 *Geo.* 2. *cap.* 15. *ſect.* 1. No perſon ſhall be admitted into, or ſhall take on him, or preſume to execute or officiate by himſelf, or any one in truſt for him or his uſe, the office of an under-ſheriff, ſheriffs clerk, or county clerk, within the city, county of the city of Dublin, or county of Dublin, who had within the ſpace of ten years before his admiſſion therein, executed, officiated, or exerciſed any of the ſaid offices or duties in the ſaid city, county of the city, or county of Dublin aforeſaid; and if any perſon ſhall offend herein, they ſhall forfeit for every ſuch offence, the ſame penalty as in the act 11 *Ann. cap.* 8. is inflicted on perſons executing the ſaid offices within three years after they have executed the ſame, which penalty ſhall be recovered againſt ſuch offenders, in the ſame manner as is preſcribed by the ſaid former act (11 *Ann. cap.* 8.) one moiety whereof to go to the informer, and the other moiety to the workhouſe of the city of Dublin.

Informations to be proſecuted with effect.

XLI. *ſect.* 2. If any information ſhall hereafter be brought for any offence againſt this or the former act, if the ſame be not proſecuted with effect, ſuch informations ſhall be deemed invalid; and it ſhall be lawful for any other perſon to file another information, to recover the penalty in this and in the former act, for the offences committed againſt the ſame; and the perſons who brought ſuch informations, not proſecuting the ſame with effect, ſhall for ſuch default forfeit one hundred pounds *ſterl.* the ſame to be recovered in a ſummary way before his Majeſty's juſtices of either bench, or barons of his court of Exchequer, who are hereby impowered to determine the ſame; one moiety whereof to be paid to the informer, and the other moiety to the uſe of the work-houſe of the city of Dublin.

Taking illegal fees.

XLII. *ſect.* 3. No ſub-ſheriff, or ſheriffs clerk, ſhall take any more than their legal fees, and upon complaint thereof, and due proof made before the court out of which ſuch writ iſſued, ſuch ſub-ſheriff, or ſheriffs clerk or clerks, ſhall, for every ſuch offence, forfeit one hundred pounds; which penalty ſhall be, and the ſaid

ſaid court out of which ſuch writ iſſued, is hereby required to have eſtreated into his Majeſty's exchequer.

XLIII. *Stat.* 33 *Geo.* 2. *cap.* 13. *ſect.* 6. Whereas there are large ſums of money now due of ſeveral high conſtables, and other collectors of the publick money in this kingdom; the reſpective high ſheriffs of ſuch counties ſhall be intitled, upon executing proceſs againſt ſuch offending high conſtables, to levy from ſuch offending high conſtables, not only the ſum mentioned in ſuch proceſs, but alſo two ſhillings in the pound for his trouble in levying ſuch arrears from ſuch high conſtables. Arrears due from high conſtables.

Ships.

I. *Eng. Stat.* 12 *Car.* 2. *cap.* 18. *ſect.* 1. No goods ſhall be imported into, or exported out of any plantations or territories which belong unto his Majeſty, in Aſia, Africa or America, but in ſuch ſhips as do truly and without fraud belong only to the people of England or Ireland, or are of the built of and belonging to any the ſaid plantations or territories, as the proprietors thereof, and whereof the maſter and three fourths of the mariners at leaſt are Engliſh (any of his Majeſty's ſubjects of England, Ireland, or the plantations, are to be accounted Engliſh, *See Par.* XXI.) under the penalty of the forfeiture of all the goods which ſhall be imported into, or exported out of, any of the aforeſaid places in any other ſhip; as alſo of the ſhip with all its tackle, ammunition and apparel; one third part thereof to his Majeſty, one third part to the governor of ſuch plantation or territory where ſuch default ſhall be committed, in caſe the ſaid ſhip or goods be there ſeized, or otherwiſe, that third part alſo to his Majeſty, and the other third part to them who ſhall ſeize, inform or ſue for the ſame in any court of record. Goods exported from the plantations.

(2) And all admirals and other commanders at ſea, of any ſhip having commiſſion from his Majeſty, are required to ſeize and bring in as prize all ſuch ſhips as ſhall have offended contrary hereunto, and deliver them to the court of admiralty, there to be proceeded againſt; and in caſe of condemnation, one moiety of ſuch forfeitures ſhall be to the uſe of ſuch admirals or commanders, and their companies, to be divided according to the rules of the ſea, in caſe of ſhips taken prize; and the other moiety to the uſe of his Majeſty. Seizure as prize.

II. *ſect.* 2. No alien or perſon not born within the allegiance of our Sovereign Lord the King, or naturalized, or made a free denizen, ſhall exerciſe the occupation of a merchant or factor in any the ſaid places upon pain of the forfeiture of all his goods, or which are in his poſſeſſion; one third to his Majeſty, one third to the governor of the plantation where ſuch perſon ſhall offend, and the other third to them that ſhall inform or ſue for the ſame, in any of his Majeſty's courts in the plantation where ſuch offence ſhall be committed. Aliens not to be factors.

(2) And all who ſhall be made governors of any ſuch plantations or territories by his Majeſty, ſhall before their entrance into their government, take a ſolemn oath to do their utmoſt, that the aforementioned clauſes ſhall be punctually obſerved; and upon complaint and proof made before his Majeſty, or ſuch as ſhall be by him authorized, that any the ſaid governors have been willingly negligent in doing their duty accordingly, the ſaid governor ſo offending ſhall be removed. Governors to be ſworn.

III. *ſect.* 3. No goods of the growth, production or manufacture of Africa, Aſia, or America *ſhall* be imported into England, Irela d, &c. in any other ſhips but ſuch as belong only to the people of England or Ireland, or of the plantations or territories in Aſia, Africa, or America, to his Majeſty belonging, as the proprietors thereof, and whereof the maſter, and three fourths at leaſt of the mariners are Engliſh, under the penalty of the forfeiture of all ſuch goods, and of the ſhip in which Qualification of Ships.

they

they were imported, with all her tackle, ammunition and apparel; one moiety to his Majeſty, and the other moiety to them who ſhall ſeize, inform or ſue for the ſame in any court of record.

Places of growth or manufacture.

IV. *ſect* 4. No goods of foreign production or manufacture, and brought into England, Ireland, &c. in Engliſh built ſhipping, or other ſhipping belonging to the ſaid places, and navigated by Engliſh mariners, ſhall be brought from any other places but thoſe of the growth or manufacture, or from thoſe ports where the goods are uſually firſt ſhipped for tranſportation, under the penalty of forfeiture of all ſuch goods as ſhall be imported from any other place, as alſo of the ſhip, one moiety to his Majeſty, and the other moiety to him that ſhall ſeize or ſue for the ſame in any court of record.

Fiſh and oil.

V. *ſect.* 5. Any ling, ſtockfiſh, pilchard, or any other dried or ſalted fiſh, uſually caught by the people of England, Ireland, &c. or any codfiſh or herring, or any oil or blubber made of fiſh, or any whale-fins or whale-bones imported into England, Ireland, &c. not caught in veſſels belonging thereunto, and the fiſh cured and dried, and the oil and blubber, which ſhall pay as oil, not made by the people thereof, ſhall pay double aliens cuſtom.

Coaſting ſhips.

VI. *ſect.* 6. It ſhall not be lawful to load in any ſhips, whereof any ſtrangers, unleſs ſuch as be denizens or naturalized, be part owners or maſter, and whereof three fourths of the mariners at leaſt be not Engliſh, any goods or things from one port or creek of England, Ireland, &c. to another port or creek of the ſame, under penalty to forfeit all ſuch goods, together with the ſhip; one moiety to his Majeſty, and the other moiety to him that ſhall ſeize or ſue for the ſame in any court of record.

Maſter and three fourths of the mariners to be Engliſh.

VII. *ſect.* 7. Where any privilege is given in the book of rates to goods imported, or exported in Engliſh built ſhips, viz, built in England, Ireland, or in any the dominions to his Majeſty in Africa, Aſia, or America belonging, it is to be underſtood, that the maſter and three fourths of the mariners be alſo Engliſh, and where it is required that the maſter and three fourths of the mariners be Engliſh, the meaning thereof is, that they be ſuch during the whole voyage, unleſs in caſe of ſickneſs, death, or being taken priſoners, to be proved by the oath of the maſter.

Goods from Ruſſia.

VIII. *ſect.* 8. No goods of the production or manufacture of Muſcovy, or of any the countries to the Emperor of Ruſſia belonging; as alſo no maſts, timber, or boards, no foreign ſalt, pitch, tar, roſin, hemp or flax, raiſins, figs, prunes, olive-oils, no corn or grain, ſugar, pot-aſhes, wines, vinegar or brandy, ſhall be imported into England, Ireland, &c. in any ſhips but ſuch as belong to the people thereof, and whereof the maſter and three fourths of the mariners are Engliſh.

Turkiſh goods.

(2) And no currans, nor commodities of the growth or manufacture of any the countries to the Ottoman or Turkiſh empire belonging, ſhall be imported in any ſhip but of Engliſh built, and navigated as aforeſaid, except ſhips of the built of that country of which the goods are the production or manufacture, or of ſuch port where the goods can only be, or moſt uſually are firſt ſhipped for tranſportation, and whereof the maſter and three fourths of the mariners are of the ſaid country, under the forfeiture of ſhip and goods as in the foregoing clauſe.

Aliens goods.

IX *ſect.* 9. Wines of the growth of France or Germany, imported in any other ſhip than that which doth belong to England, Ireland, &c. and navigated with the mariners thereof as aforeſaid, ſhall be deemed aliens goods, and pay all ſtrangers cuſtoms to his Majeſty, as alſo to the town or port into which they ſhall be imported.

(2) And

(2) And all maſts, timber or boards; as alſo all foreign ſalt, pitch, tar, roſin, hemp, flax, raiſins, figs, prunes, olive-oils, all corn or grain, ſugar, pot-aſhes, brandy, wines of Spain, the Canaries or Portugal, Madeira or weſtern iſlands, and all goods of the production or manufacture of Muſcovy or Ruſſia, which ſhall be imported into any the ſaid places in any other than ſuch ſhipping, and ſo navigated; and all currans and Turkey commodities which ſhall be imported into any the places aforeſaid, in any other than Engliſh built ſhipping, and navigated as aforeſaid, ſhall be deemed aliens goods, and pay accordingly to his Majeſty, and to the town or port into which they ſhall be imported. Duty as aliens goods.

X. *ſect.* 11. If any officer of the cuſtoms ſhall allow the privilege of being a ſhip to England, &c. belonging to any foreign built ſhip, or the privilege of an Engliſh built ſhip, &c. to any ſhip coming into any port, and making entry of goods, until examination whether the maſter and three fourths of the mariners be Engliſh, or ſhall allow to any foreign ſhip bringing in commodities of the growth of the country where it was built, the privilege to ſuch ſhip given, until examination and proof whether it be a ſhip of the built of that country, and that the maſter and three fourths of the mariners are of that country, or if any perſon made governor of any plantation in Africa, Aſia, or America by his Majeſty, ſhall ſuffer any foreign built ſhip to load or unload any goods within their governments; for the firſt offence ſuch officers of the cuſtoms and governors ſhall be put out of their places. Examination by officers.

XI. *ſect.* 12. This act ſhall not reſtrain the importation of any commodities of the Streights or Levant ſeas in Engliſh built ſhipping, whereof the maſter and three fourths of the mariners are Engliſh, from the uſual ports for lading them within the Streights or Levant ſeas, though the commodities be not of the growth of the ſaid places. Goods from the Levant.

This clauſe as to the importation of raw ſilk and mohair-yarn of the product or manufacture of Aſia *is repealed, except only as to the ports within the Dominion of the Grand Seignior, by* 6 Geo. 1. cap. 14.

XII. *ſect.* 13. This act ſhall not reſtrain the importing any Eaſt-India commodities in Engliſh built ſhipping, whereof the maſter and three fourths of the mariners are Engliſh, from the uſual places of lading them in thoſe ſeas ſouthward and eaſtward of *Cabo bona ſperanza.* Eaſt India goods.

XIII. *ſect.* 14. It ſhall be lawful for any of the people of England, Ireland, &c. in ſhips to them belonging, and whereof the maſter and three fourths of the mariners are Engliſh, to bring from any of the ports of Spain or Portugal, or weſtern iſlands called Azores, Madeira or Canary iſlands, all goods of the production or manufacture of the plantations of either of them reſpectively. Engliſh and Ir. Ships.

XIV. *ſect.* 15. This act ſhall not extend to bullion, nor to any goods taken by way of repriſal by any ſhip belonging to England, Ireland, &c. whereof the maſter and three fourths of the mariners are Engliſh, having commiſſion from his Majeſty. Bullion and prize goods.

XV. *ſect.* 16. This act ſhall not extend to lay aliens duties upon corn of the growth of Scotland, or ſalt made in Scotland, nor to fiſh caught and cured by the people of Scotland, and imported from Scotland in Scotch built ſhips, whereof the maſter and three fourths of the mariners are his Majeſty's ſubjects, nor to ſeal oil of Ruſſia imported from thence into England, &c. in ſhipping thereto belonging, and whereof the maſter and three fourths of the mariners are Engliſh. Corn, ſeal oil, &c.

XVI. *ſect.* 17. Every ſhip belonging to ſubjects of the French King, which ſhall come into any port or road of England, Ireland, Wales or Berwick, and ſhall there lade or unlade any goods, or take in or ſet on ſhore any paſſengers, ſhall pay to the Tunnage on French Ships.

the collector of his Majeſty's cuſtoms, for every tun of which the ſaid ſhip is of burden, 5 s. and no ſuch ſhip ſhall be ſuffered to depart until the duty be paid; and this duty ſhall continue for ſuch time as a certain duty of 50 ſols *per* tun impoſed by the French King, or any part thereof, ſhall be collected upon the ſhipping of England laden in France, and three months after.

This duty is determined by the treaty of Utrecht. *See the reſt of this act in Tit.* **Plantations.** *Confirmed* 13 *Car.* 2. *cap.* 14.

Foreign built ſhips.

XVII. *Eng. Stat.* 13 & 14 *Car.* 2. *cap.* 11. *ſect.* 6. No foreign built ſhip, not built in his Majeſty's Dominions ſhall enjoy the privilege of a ſhip belonging to England or Ireland, altho' owned or manned by Engliſh, except ſhips taken at ſea by letters of mart or repriſal, and condemnation made in the admiralty, but all ſuch ſhips ſhall be deemed as alien ſhips by the act of navigation.

All ſubjects deemed Engliſh.

(2) And whereas it is required by the ſaid act, that in ſundry caſes the maſter and three fourths of the mariners are to be Engliſh; any of his Majeſty's ſubjects of England, Ireland, and his Plantations are to be accounted Engliſh, and the number of mariners to be accounted according to what they ſhall have been during the whole voyage.

Obſtructing officers.

(3) And where any officers ſhall be by any perſon armed with club or any weapon forcibly hindred, affronted, abuſed, beaten or wounded, either upon land or water, in the due execution of their office, every perſon ſo reſiſting, affronting, &c. the officers or their deputies, or ſuch as ſhall act in their aſſiſtance, ſhall by the next juſtice of peace or other magiſtrate, be committed to priſon till the next quarter-ſeſſions; and the juſtices of the quarter-ſeſſions ſhall puniſh the offender by fine, not exceeding 100 l. and the offender is to remain in priſon till he be diſcharged by order of the exchequer, both of the fine and of the impriſonment, or diſcover the perſon that ſet him on work.

Light-houſe money.

XVIII. *Eng. Stat.* 4 & 5 *Ann. cap.* 20. From the placing a light uſeful for ſhipping in Edyſtone light-houſe, there ſhall be paid to the maſter, wardens and aſſiſtants of Trinity-houſe of Deptford-ſtrond, by the maſters and owners of all Engliſh ſhips and barks which ſhall paſs by the ſaid light-houſe, except coaſters 1 d. *per* tun outward-bound, and 1 d *per* tun inward bound, viz. of the merchant one moiety, and of the owner the other moiety; and of all ſuch aliens ſhips as ſhall paſs by the ſaid light-houſe, 2 d. for every tun of the burden of the ſhip; and every coaſter paſſing by the ſaid light-houſe ſhall pay 2 s. for each time.

Collectors of duties.

(2) The ſaid duties to be collected by ſuch perſons as the ſaid maſter, wardens, and aſſiſtants ſhall appoint, in ſuch port whence ſuch ſhip ſhall ſet forth, or where ſuch ſhip ſhall arrive, before they load or unload; the ſaid duties to be recovered by action of debt in any court at Weſtminſter.

Ships liable to light-houſe money.

XIX. *Brit. Stat.* 8 *Ann. cap.* 17. *ſect.* 1. The duties in the act 4 & 5 *Ann. cap.* 20. directed to be paid by any ſhip paſſing by Edyſtone light-houſe, ſhall be paid for every ſuch ſhip, as well thoſe belonging to her Majeſty's ſubjects as ſtrangers, which ſhall paſs by the ſaid light-houſe from or to any port, and ſhall be received of the maſter of ſuch ſhip in any part of Great Britain or Ireland, and may be recovered in any of her Majeſty's courts of law.

Ships not to be diſcharged 'till payment.

XX. *ſect.* 2. No cuſtomer, collector, or other officer of the cuſtoms, ſhall make out any cocket or other diſcharge, or take any report outwards for any ſhip, until the duties granted by the ſaid act, and payable by the maſter of ſuch ſhip ſhall be paid, and that ſuch maſter produce a light-bill teſtifying the receipt thereof.

XXI. *ſect.*

XXI. *ſect.* 3. It ſhall be lawful for every perſon authorized by the Trinity-houſe to go on board any foreign ſhip to receive the duties, and for non-payment to diſtrain any tackle belonging to ſuch ſhip; and in caſe of any delay in payment for three days after diſtreſs, it ſhall be lawful for the receivers of the ſaid duties to cauſe the ſame to be appraiſed by two perſons, and to ſell the ſaid diſtreſs. Diſtreſs of tackle of foreign ſhips.

XXII. *ſect.* 4. This act and alſo the ſaid former act ſhall be public acts. Publick act.

XXIII. *Brit. Stat.* 3 *Geo.* 2. *cap.* 36. *ſect.* 1. All the powers and duties granted in letters patent, bearing date at Weſtminſter the 13th of July, 13 *Ann.* to William Trench, Eſq; deceas'd, for erecting a lighthouſe on the iſland or rock called Skerries near Holyhead in the county of Angleſea, ſhall have continuance for ever, ſubject to a proviſo as to the maintaining of the light-houſe in the letters patent contained, and to the truſts herein after mentioned, and ſhall be veſted in Sutton Morgan, his heirs and aſſigns. Skerries light-houſe.

XXIV. *ſect.* 2. The ſaid Sutton Morgan, his heirs and aſſigns are impowered to demand and take of the maſters and owners of every ſhip or bottom, paſſing, croſſing or ſailing in or through Saint George's channel, by Holyhead or Wicklow, to or from any foreign port, or which ſhall paſs or croſs the ſaid channel, to or from any port, creek or place in Great Britain ſouthward of Holyhead from or to Wicklow, or any place northward thereof in Ireland, or that ſhall paſs, croſs or ſail from any place northward of Holyhead, either from any foreign or other place, and ſail between Holyhead and the Calf of Man, or any way in Saint George's channel to the ſouthward of Dublin, and likewiſe from all coaſters paſſing to or from any place in Great Britain north of Holyhead, from or to any other place ſouth thereof, one penny *per* tun coming into, and the like ſum of one penny *per* tun going out of the ſaid ports in Great Britain or Ireland, and double ſuch duties for any foreign ſhip paſſing, croſſing or ſailing in the like manner. Duties on ſhips.

XXV. *ſect.* 3. Ships and veſſels loaden with coals in Great Britain north of Liverpool for Ireland, or the greateſt part of their loading being coals, and paſſing or croſſing in manner aforeſaid, from Great Britain to Ireland, ſhall only pay for one voyage in every year, from Great Britain to Ireland, and for one voyage from Ireland to Great Britain, notwithſtanding they make ſeveral ſuch voyages in the ſaid year to and from Ireland, and the ſame to be paid the firſt voyage yearly before clearing out of the cuſtom-houſes either in Great Britain or Ireland; which duties ſhall be levied and collected by the methods preſcribed by the ſaid letters patent, or ſhall herein after be preſcribed. Coal-ſhips.

XXVI. *ſect.* 5. In caſe any owner or maſter, or any perſon having the command of any ſhip chargeable with the duties granted by this act or the ſaid letters patent, ſhall refuſe to pay the ſame, it ſhall be lawful for the ſaid Sutton Morgan, his heirs and aſſigns, or their deputies, to ſeize and detain any of the goods, tackle and apparel belonging to the maſters or owners of ſuch ſhip, and the ſame to detain until they be paid the ſaid duties, and in caſe of delay in payment of the ſaid duties for three days after ſuch ſeizing, it ſhall be lawful for the ſaid Sutton Morgan, his heirs and aſſigns, or their deputies or receivers of the ſaid duties, to cauſe the ſame to be appraiſed by two ſworn appraiſers, and afterwards to ſell the goods, and therewith to ſatisfy themſelves for the ſaid duties, together with the charge of ſuch ſeizing, detaining and ſelling, rendering to the maſter or owners of ſuch ſhip the overplus, if any. Refuſing payment.

XXVII. *ſect.* 6. Nothing in this act ſhall extend to charge any of the ſhips of war belonging to his Majeſty with any the duties granted by this act, or the ſaid letters patent. Ships of war exempted.

General iſſue. XXVIII. *ſect.* 8. In caſe any ſuit ſhall be commenced for any act or thing done in purſuance of this act, the action ſhall be laid in the county, whether in Great Britain or Ireland, where ſuch act was done, and the defendants may plead the general iſſue, and give this act and the ſpecial matter in evidence, and that the ſame was done in purſuance of this act; and if it ſhall appear ſo to be done, or that ſuch actions ſhall be brought in any other county in Great Britain or Ireland, than where the ſaid act was done, the jury ſhall find for the defendants, and upon ſuch verdict, or if the plaintiffs ſhall be nonſuited or diſcontinue their actions after the defendants ſhall have appeared, or if upon demurrer judgment ſhall be given againſt the plaintiffs, the defendants ſhall recover full coſts.

Publick act. XXIX. *ſect.* 9. This act ſhall be deemed a public act.

wilfully deſtroying ſhips, felony. XXX. *Stat.* 11 *Geo.* 2. *cap.* 9. *ſect.* 2. If any owner of, or captain, maſter, or mariner, or other officer belonging to any ſhip, ſhall wilfully caſt away, ſink, burn, or otherwiſe deſtroy the ſhip of which he is owner, or to which he belongeth, or in any manner direct or procure the ſame to be done, to the prejudice of any perſons, bodies politic or corporate, that ſhall under-write or execute any policy of inſurance thereon, or of any merchants that ſhall load goods thereon, and ſhall be convicted thereof, ſuch perſons ſo offending ſhall be adjudged guilty of felony without the benefit of clergy or of the ſtatute made in the ninth year of Queen Anne, *for taking away the benefit of clergy in certain caſes*, &c. *Brit. Stat.* 11 Geo. 1. cap. 29. ſect. 5.

Shires.

Diviſion of the ſhire of Meath. I. *Stat.* 34 *Hen.* 8. *ſeſſ.* 1. *cap.* 1. Foraſmuch as it is thought meet that the ſhire of Meath ſhould be divided, made two ſhires, and one of them ſhall be called the county of Meath, and the other ſhall be called the county of Weſtmeath, and there ſhall be two ſheriffs and other officers within the ſaid ſhires, the baronies or hundreds of Duleeke, Scryne, Slave, Margallen, Navan, Kelles, the half barony of Fower next unto Kelles, having and containing in the ſame, the pariſhes of Killallou, Demore, Clove, Moylagh, Loghern, Oldcaſtle and Luyn, Moyferagh, Deele, Rathtouch and Donboyne, ſhall be in the county of Meath; and all lands lying within the compaſs of the ſaid baronies or hundreds, ſhall be reputed and taken within the ſaid county of Meath; and within the ſame county there ſhall be ordained and deputed a ſheriff, two coroners, one eſcheator and clerk of the market, juſtices of peace and gaol delivery, knights of the ſhire, and all other officers and miniſters according as in the ſaid ſhire of Meath hath been accuſtomed, which ſheriff, coroners, eſcheators, clerk of the market, juſtices of peace and gaol delivery, officers and miniſters ſo to be made, ſhall have the like authority, privilege and profits within the ſaid baronies and bounds now by this act, in the ſaid county of Meath, as the like officers in times paſſed had within the ſhire of Meath.

Baronies erected. II. *ſect.* 2. Daltons country ſhall be from henceforth named the barony or hundred of Rathcomirty; and Delamars country named Moyrackry, the barony or hundred of Roſſaugh; and Tyrrels country named Fertullagh, the barony or hundred of Fertullagh; and Dillons country named Maghirquirk, the barony or hundred of Kilkenny weſt, which barony or hundred of Kilkenny weſt, ſhall contain in the ſame the pariſhes of Kilkenny, Drombran, Bonowne, Oughevalle, Artenecrane, Alone and Brawny, Iwrin, and a certain piece of a certain country named Moylaghaghe, to be parcel of the other half barony or hundred of Fower, which half barony ſhall contain in the ſame the pariſhes of our Lady Church, Saint Feigns, in the town of Fower, Kilpatrick, Mayne, Beallaghilla, Lickla, Foyran and Hilton.

III. *ſect.*

III. *ſect.* 3. The baronies or hundreds of Delvin, Moyaſhell, Maghertyernan, Corkery, Ferbill, Moygoiſe, and the ſaid baronies or hundreds now made by authority of this act, as Rathcamirty, Roſſaugh, Fertulagh and Kilkenny weſt, and the half barony of Fower, whereof the ſaid Moylagaghe is now made parcel of Weſtmeath; and all lands lying within the compaſs or precinct of the ſaid baronies or hundreds, ſhall be reputed, named and taken the county of Weſtmeath, and within the ſame county there ſhall be deputed a ſheriff, coroners, eſcheator, clerk of the market, juſtice of peace and gaol delivery, knights of the ſhire, and all other officers and miniſters according as in the ſhire of Meath hath been accuſtomed, as oft as need ſhall require, which ſheriff, officers and miniſters ſo to be made, ſhall have the like authority, privilege and profits within the ſaid baronies and bounds, now by this act made in the county of Weſtmeath, as the like officers in times paſt had within the ſhire of Meath; and that the town of Mullingar ſhall be reputed, uſed, and taken the ſhire-town of the ſaid county of Weſtmeath. County of Weſtmeath.

IV. *ſect.* 4. The common gaol or priſon within the ſaid county of Weſtmeath, ſhall be within the precinct of the houſe of late Friars of Mullingar houſe, and in ſuch place thereof, where the lord deputy, the lord chancellor, the three chief judges, and the maſter of the rolls ſhall aſſign. Gaol at Mullingar.

V. *ſect.* 8. Every of the half baronies of Fower in all trials ſhall be taken as an entire barony, that is to ſay, that moiety allotted to the ſhire of Meath, to be taken as an entire barony in that ſhire, and the other moiety allotted to Weſtmeath, to be as an entire barony in that ſhire, for all trials. Baronies of Fower.

VI. *Stat.* 3 & 4 *Phil. & Mar. cap.* 2. *ſect.* 2. The new fort in Leixe *ſhall* be called Maryborough, and the countries of Leixe, Slewmarge, Irry, and ſuch portion of Glimnaliry as is ſituate of that ſide of the river Barrow, whereupon the ſaid Maryborough ſtandeth, and all the lands of the ſame countries be one ſhire or county, called the Queen's county, and ſhall be reputed and uſed as a county or ſhire to all purpoſes, and there ſhall be appointed and made within the ſaid ſhire, for the rule thereof and execution of things there, ſheriff, coroners, eſcheator, clerk of the market, and other officers and miniſters of juſtice, yearly, as in other counties in this realm. Queen's County.

VII. *ſect.* 3. The new fort in Offaily *ſhall* be called Philipſtown, and the ſaid county of Offaily, and ſuch portion of Glinmalry as is ſituated of that ſide of the river of Barrow whereupon the ſaid Philipſtown ſtandeth, and all the lands of the ſame country ſhall be one ſhire or county, and called the King's county, and ſhall be taken and uſed as a county or ſhire to all purpoſes, and there ſhall be appointed and made within the ſaid county or ſhire, ſheriff, coroners, eſcheator, clerk of the market, and other officers and miniſters of juſtice, yearly as in other the ſhires or counties of this realm. King's County.

VIII. *ſect.* 4. A commiſſion *ſhall* be made forth by the lord chancellor, to certain of the council and others after his diſcretion, as well for the dividing of the bounds and limits of the ſaid ſeveral counties, and alſo of the ſaid counties or ſhires of King's county and Queen's county, into ſeveral baronies or hundreds, as alſo the town and place where the priſon or gaol in the ſaid counties ſhall be, and what order and appointment ſhall be ſo made by the ſaid commiſſioners, and returned into the chancery, be it ratified and eſtabliſhed for ever. Diviſion of the limits.

IX. *ſect.* 5. This act ſhall not be prejudicial to any letters patent granted unto Gerald Earl of Kildare, and his heirs, by the Queen, or by King Edward the ſixth, of any lands, dignities, juriſdictions, and other hereditaments within this realm. Saving to the earl of Kildare.

X. *ſect.* 6. Provided alſo, that this act doth not extend to the archbiſhop of Dublin, the biſhop of Kildare, the biſhop of Leighlin, or any other eccleſiaſtical Saving to biſhops, &c.

perſons of any right, advowſons, preſentations by lapſe or otherwiſe, or any other things that they or their predeceſſors have enjoyed within the ſaid country of Leix and Offaily.

Limiting ſhire-grounds.

XI. *Stat.* 3 & 4 *Phil. & Mar. cap.* 3. *ſect.* 1. The lord chancellor ſhall have authority to direct the King and Queen's commiſſion under their great ſeal of this realm, to ſuch number of perſons as ſhall by warrant under the lord deputies hand and ſeal for the time being, be thought convenient, giving thereby power to the commiſſioners by authority of the ſame commiſſion, to view, ſurvey, and make inquiry of all the towns, villages, and waſte grounds of this realm, now being no ſhire grounds, and upon the ſaid view, inquiry, and ſurvey, to limit and divide by certain limits and bounds, all ſuch towns, villages, and waſte grounds into ſuch ſeveral counties, ſhires, and hundreds, as to the ſaid commiſſioners ſhall be thought meeteſt and convenient; and after they have made ſuch ſurvey, inquiry, and diviſion, the ſaid commiſſioners ſhall certify the ſame unto the lord deputy, who liking the ſaid certificate, ſhall under his hand and ſeal, and the hands and ſeals of the ſaid commiſſioners, return and certify the doing together with the ſaid commiſſion into the chancery before ſuch time as by the ſaid commiſſion ſhall be appointed, and the ſame certificate ſo made, ſhall be of the ſame force as it were made by act of parliament, and the ſaid ſhires, countries, and hundreds, after the ſame certificate ſo made, ſhall be uſed and taken as other counties, ſhires, and hundreds be in every other ſhire within this realm.

Power of ſuſpenſion.

XII. *ſect.* 2. The King and Queen's Majeſties, her heirs and ſucceſſors, ſhall have power for the term of ſeven years next after the end and diſſolution of this preſent parliament, for ſuch time as ſhall pleaſe their Majeſties, her heirs and ſucceſſors, to ſuſpend or utterly to repeal, revoke and abrogate this whole act together, with all other things done by force of the ſame, ſo that every ſuch ſuſpending repeal and revocation ſhall be made in writing under the great ſeal of Ireland, and that proclamations of every ſuch ſuſpending, repeal and revocation, ſhall be made in ſuch ſhires of this realm of Ireland, as to her Majeſty, her heirs and ſucceſſors, ſhall be thought meet, and thereupon the ſaid commiſſion to be inrolled in the rolls of this preſent parliament wherein this act ſhall be inrolled, and every ſuch ſuſpending repeal and revocation ſo to be made, ſhall be as effectual as if the ſame had been done by authority of parliament.

Limiting ſhire-grounds.

XIII. *Stat.* 11 *Eliz. ſeſſ.* 3. *cap.* 9. *ſect.* 1. The lord chancellor or keeper of the great ſeal of this realm, ſhall have authority by virtue of this act, to award and direct ſeveral commiſſions under the great ſeal, to ſuch perſons as ſhall by warrant under the lord deputy or governors hand be thought moſt convenient, giving power to the ſaid commiſſioners by authority of the ſaid ſeveral commiſſions, to view, ſurvey, and make inquiry as well of all the countries, territories, cantredes, towns and villages of this realm, now being no ſhire ground, as alſo of all ſuch territories, portions of lands, cantredes, or hundreds, as are in ſhire ground, and doubtful of what ſhire they are parcel; and upon view, ſurvey, and inquiry to limit, divide, join, add, or ſever by certain limits and bounds the ſame, or any part or portion of the ſame, into ſuch ſeveral counties, ſhires, and hundreds, and any ſhires, county or hundred already ſhire ground, as to the ſaid commiſſioners ſhall be thought moſt meet; and after they have made ſuch ſurvey, inquiry, and diviſion, the ſaid commiſſioners ſhall certifie the ſame unto the lord deputy or governors of this realm, who, liking the ſaid certificate, ſhall under their hand and ſeal, and under the hands and ſeals of the ſaid commiſſioners, return and certifie their doings therein, toge-

ther with the ſaid commiſſions into the chancery, before ſuch time as by the ſaid commiſſions ſhall be to them limited.

XIV. *ſect.* 2. The ſame certificate ſo made, ſhall be of the ſame force as if every thing therein contained were done by act of parliament; and in every of the ſaid ſhires ſo newly to be made and certified, there ſhall be a ſheriff, coroners, eſcheator, clerk of the market, juſtice of peace, and of gaol-delivery, chief ſerjeant, and other officers and miniſters, as in other ſhires have been uſed and accuſtomed. Certificates.

XV. *ſect.* 3. This act ſhall not extend to abridge or take away any part of the liberties of Tipperary or Kerry, but the lords of the ſaid liberties may enjoy their ſaid liberties throughout the ſhires of Tipperary and Kerry, according to their ſeveral grants. Tipperary and Kerry.

XVI. *ſect* 4. Provided alſo, this act ſhall not be prejudicial to the archbiſhop of Armagh the archbiſhop of Dublin, or to any other lords ſpiritual or temporal, or to any other perſons, bodies politic or corporate, their heirs or ſucceſſors, for any franchiſes or liberties granted unto them by letters patent from the Queen or any her progenitors or predeceſſors, but that they may enjoy their ſeveral titles and franchiſes according to the tenors of their ſeveral grants. Saving for franchiſes.

Shoemakers.

I. *Stat.* 3 *Geo.* 3. *cap.* 33. *ſect.* 13. *To prevent frauds in the making of ſhoes and boots*, no perſon ſhall ſell or expoſe to ſale any ſhoes or boots, unleſs the name of the maker of ſuch boots or ſhoes ſhall be ſtamped upon the inſide of the top of ſuch boots, and the inſide of the lap of ſuch ſhoes, in plain and legible characters; and in caſe any perſon ſhall ſell or expoſe to ſale, any boots or ſhoes not ſtamped as aforeſaid, ſuch perſon ſhall for every ſuch pair of boots and ſhoes ſo ſold or expoſed to ſale, forfeit two pounds ſix ſhillings, to be recovered as herein after is mentioned. Frauds in making ſhoes and boots. Maker's name to be ſtamped. Forfeiture.

II. *ſect.* 14. The ſaid penalties ſhall be recovered upon conviction by the confeſſion of the party, or by the oath of one credible witneſs, before one juſtice of the peace of the place where the offence ſhall be committed, and ſhall be levied by way of diſtreſs upon the goods of the offender, by warrant under the hand and ſeal of the juſtice before whom ſuch conviction ſhall be, returning the overplus, the ſaid forfeitures to go to the informers. Penalties upon conviction. One juſtice of the peace. Forfeitures to the informer.

Silk.

I. *Stat.* 3 *Geo.* 3. *cap.* 21. *ſect.* 21. No perſon who ſhall import into this kingdom foreign ſilks, not of the manufacture of Great Britain, ſhall be intitled to any drawback whatſoever on exporting or reſhipping the ſame. No drawback for foreign ſilks.

II. *Brit. Stat.* 5 *Geo.* 3. *cap.* 29 *ſect.* 4. Upon the exportation of any *raw or thrown ſilk* to Ireland, within the time allowed by law, for which the duties chargeable by this act, ſhall have been paid or ſecured, there ſhall be allowed a drawback of one ſhilling upon every pound weight, containing twenty-four ounces of raw ſilk ſo exported; and of the whole of the additional duty on thrown ſilks; which drawbacks ſhall be allowed according to ſuch rules as any drawbacks are allowed by any law now in force relating to the cuſtoms. Drawback allowed.

III. *ſect.* 5. No raw ſilk ſhall be exported from Ireland, upon pain that the ſame, together with the veſſel upon which any raw ſilk be laden to be exported, and all her guns, tackle, apparel, and furniture, ſhall be ſeized by any officer of the revenue in Ireland, one moiety of which forfeiture ſhall be to his Majeſty, and the other to them that ſhall ſue for the ſame; to be recovered in ſuch manner as any Exportation of raw ſilk.

forfeiture

Penalties. forfeiture incurred by any laws of the revenue, may be ſued for and recovered in Ireland; and the maſter and mariners of any ſuch veſſel, wherein any ſuch offence ſhall be committed, knowing ſuch offence, and wittingly aiding therein, and being thereof duly convicted, ſhall be impriſoned three months, without bail or main-prize.

Soldiers.

Marrying without certificates. I. *Stat.* 9 *Will.* 3. *cap.* 28. *ſect.* 5. Any popiſh prieſt or proteſtant miniſter, or other perſon that ſhall marry any ſoldier inliſted in his Majeſty's army in this kingdom, to any wife, without ſuch certificate *as is required by this act*, (*See Tit.* **Marriages**.) ſhall forfeit twenty pounds for every ſuch offence, to be levied by warrant from any juſtice of the peace where ſuch offence ſhall be committed, of goods and chattels of the offender, or in default thereof, the party ſo offending, to be committed to the county gaol until he ſhall pay the ſaid ſum, one moiety thereof to ſuch perſons that ſhall give information and make out ſuch offence before any juſtice of the peace, and the other moiety to the treaſurer of the county, to be applied to the uſe of the county, and every juſtice of the peace ſhall give an account of his proceedings to the next quarter-ſeſſions.

Appeal to the ſeſſions. II. *ſect.* 6. Provided that any perſon that ſhall think himſelf aggrieved by the judgment of any juſtice of the peace, may appeal to the next quarter-ſeſſions where the ſaid matter ſhall be examined, and ſuch relief therein given as to the juſtices at the quarter-ſeſſions ſhall ſeem reaſonable.

Proof of religion. III. *ſect.* 7. In all caſes where a certificate is required by this act that the perſon marrying is a known proteſtant, if any marriage ſhall be made without ſuch certificate, and it can afterwards be made appear by proof that ſuch perſon was a known proteſtant, in ſuch caſe they ſhall not be liable to any forfeitures or penalties in this act.

A commiſſioned officer to march. IV. *Stat.* 6 *Ann. cap.* 14. *ſect.* 1. No detachment of ſoldiers, above fifteen in number, ſhall march through any part of this kingdom without one commiſſioned officer, which officer ſhall, under pain of forfeiting his commiſſion, conſtantly march with the ſaid ſoldiers or troops, and keep them together and entire, and ſhall be anſwerable for all treſpaſſes and offences which the ſoldiers under his command, or any of them, ſhall commit in their marches, and ſhall give ſatisfaction for the ſame in manner as hereafter is mentioned, that is to ſay,

Soldier committing treſpaſs. (2) If any ſoldiers or troopers during their march ſhall commit any treſpaſs or other offence to the damage of any of her Majeſty's ſubjects, the officer commanding ſuch ſoldier or trooper, upon complaint of the party injured, or of any other on his behalf, is required to cauſe immediate reparation or reſtitution to be made to ſuch perſons, and in default thereof the party injured, or ſome other on his behalf, is impowered to repair to the next juſtice of the peace for the county, or to the chief magiſtrate where ſuch offence ſhall be committed, and by oath of the party injured, or of any other credible perſon, to prove before ſuch juſtice or chief magiſtrate the particulars of the damage done to ſuch perſons by any ſuch ſoldier or trooper, whereupon the ſaid juſtice or chief magiſtrate is required to aſcertain the damage ſuſtained by the party complaining by certificate under his hand and ſeal, for which no fee is to be taken; and in caſe ſuch officer, upon producing and tendering to him ſuch certificate, do not pay ſuch damage ſo certified within ſix hours to the party complaining or producing ſuch certificate, every ſuch officer ſhall forfeit five pounds, to be paid by the paymaſter-general or his deputy without delay, fee or reward, to the party producing ſuch certificate, and the ſaid penalty or forfeiture is by the ſaid paymaſter-general to be deducted out of the pay of ſuch officer ſo offending.

V. *ſect.* 2. No detachment of ſoldiers under fifteen in number, ſhall march without a ſerjeant or corporal, which ſerjeant or corporal is conſtantly to march with ſuch detachment, and keep them entire, under pain of being caſhiered, or of ſuffering corporal puniſhment at the election of the officer commanding ſuch detachment. **Detachments under fifteen.**

(2) And in caſe any ſoldier or trooper ſhall in their march commit any treſpaſs or other offence, to the damage of any of her Majeſty's ſubjects, upon complaint thereof to ſuch ſerjeant or corporal, immediate reſtitution or reparation ſhall be made to the party complaining by ſuch ſerjeant or corporal, and in default thereof, the party injured is impowered to prove his damage, and to procure a certificate thereof in manner before mentioned, and upon producing ſuch certificate to the officer to whoſe company or troop ſuch ſoldier or trooper ſhall belong, ſuch officer is required immediately to pay the ſum certified, not exceeding forty ſhillings, to the party complaining or producing ſuch certificate, of which ſum ſo paid, the ſaid officer is to deduct one moiety out of the pay of the ſerjeant ~~or~~ corporal that marched with ſuch detachment, and the other moiety out of the pay of the ſoldiers committing ſuch treſpaſs; but in caſe ſuch officer ſhall neglect to pay the ſum certified as aforeſaid within twelve hours after producing to him ſuch certificate, ſuch officer for every ſuch neglect ſhall forfeit five pounds, to be paid and ſtopped in manner as is above mentioned. **Committing treſpaſs or damages.**

VI *ſect.* 3. Upon the march of any regiment, troop, or company or detachment, the quartermaſter, agent, or ſome other officer belonging to the ſame, ſhall produce the orders of the chief governors of this kingdom, or a true copy thereof ſigned by the commanding officer of ſuch regiment or detachment, to ſome juſtice of the peace, or to the chief magiſtrate of the place where carriages are to be provided. **Producing the order for marching.**

(3) Which juſtice or chief magiſtrate ſhall upon ſight of ſuch orders, or of a true copy thereof ſo ſigned, iſſue their warrants to the conſtables within their reſpective diſtricts, or to the conſtables of the next adjacent barony, hundred or diſtrict, requiring them within twelve hours at fartheſt to provide a ſufficient number of carriages, ſo as the ſame does not exceed three wheel cars or ſix ſlide cars for each troop or company. **Warrant to provide carriages.**

(4) And upon receipt of ſuch warrant ſuch conſtables are required to make proviſion of ſuch cars and horſes within their reſpective diſtricts or pariſhes within the time aforeſaid, and to get the ſame in readineſs; and in caſe any conſtable ſhall neglect his duty herein, ſuch offender ſhall forfeit ten ſhillings, to be recovered for the uſe of the poor of the pariſh before the juſtice or magiſtrate who ſhall ſign ſuch warrant, the party offending being duly convicted on the oath of one credible witneſs. **Conſtables to make proviſion.**

VII. *ſect.* 4. If any military officer, for the uſe of whoſe troop, company, or detachment ſuch carriages ſhall be provided, ſhall force the owner or driver of any car or carriage to travel with his carriage more than one day's march, according to the rout, or ſhall not diſcharge the ſame within two hours after they come to the end of ſuch day's march, or ſhall ſuffer any ſoldier or ſervant, or any woman to ride in any car or carriage ſo provided, or ſhall force any conſtable or petty conſtable by menace or otherwiſe to provide ſaddle-horſes for ſuch officers or their ſervants, or ſhall take by force any horſes from the owners thereof, every ſuch officer ſhall for every ſuch offence forfeit forty ſhillings, proof thereof being firſt made upon oath before one of her Majeſty's juſtices of the peace for the ſame county, or before the chief magiſtrate of the place where ſuch offence ſhall be committed, who are to make certificate thereof to the paymaſter-general, who is required upon the receipt of ſuch certificate to pay the aforeſaid ſum of forty ſhillings to the **Penalties on officers.**

the party injured, and the ſaid paymaſter is impowered to deduct the ſame out of ſuch officer's pay.

Weight of loading for cars.

VIII. *ſect.* 5. No wheel-car or carriage ſhall be loaden with above four hundred pounds weight, nor any ſlide-car with above two hundred pounds weight, and no owner of ſuch carriages ſhall be compelled to take any loading or be forced to proceed in the march with his carriage till the officer or other perſon who ſhall require ſuch carriage do pay down in hand to the owner of ſuch carriage, or his ſervant, for every mile or reputed mile they are to march, two-pence *per* mile for every wheel-car, and one penny *per* mile for every ſlide-car, which ſums ſo to be advanced by ſuch officers ſhall be repaid to ſuch officers by the paymaſter general or vice-treaſurer, on oath made by ſuch officers before one juſtice of the peace or chief magiſtrate of any city or corporate town, of their payment of ſuch ſum or ſums for carriages.

Payment *per* mile.

Neglect of conſtables.

IX. *ſect.* 7. If through the neglect of any conſtable, after notice given to provide carriages as before-mentioned, the officer commanding in chief for want thereof ſhall be neceſſitated to halt, it ſhall be lawful for the ſaid officer to take the carriages one day's march more according to the rout, paying two pence *per* mile as before mentioned; and the owners of ſuch carriages, upon complaint made by them or their ſervant to any juſtice of the peace or chief magiſtrate next adjoining to the place where ſuch carriages were to have been provided, ſhall receive over and above the two-pence *per* mile before mentioned, two-pence *per* mile, to be paid by the conſtable who made default in providing carriages, the ſaid laſt ſum to be levied immediately after demand and refuſal, by warrant of any juſtice of the peace or chief magiſtrate of the place next adjoining; which juſtice or chief magiſtrate is required to grant the ſame immediately on demand without fee or reward.

Quarters during marches only.

X. *ſect.* 8. No officer, ſoldier, or trooper in her Majeſty's army, nor the ſervant of any officer, nor any attendant on the train of artillery, nor any yeoman of the guard or battle-axes, nor any officer commanding the ſaid yeomen, nor any ſervant of any ſuch officer, ſhall receive or be allowed any quarters, ſave only during ſuch time as they ſhall be on their march, or during ſuch time as they ſhall be in ſome ſea-port town or other place in the neighbourhood of a ſea-port town in order to be tranſported, or during ſuch time as there ſhall be any commotion in any part of this kingdom, by reaſon of which emergency her Majeſty's army, or any conſiderable part thereof, ſhall be commanded to march from one part of this kingdom to another.

Killing game.

XI. *ſect.* 10. If any officer or ſoldier ſhall without leave of the reſpective lords of the manor, under their hands and ſeals firſt obtained, take, kill or deſtroy any hare, coney, partridge, pheaſant, pigeon, or any other ſort of fowl or poultry; or if any officer or ſoldier ſhall deſtroy any fiſh or her Majeſty's game, and ſhall be thereof convicted upon the oath of one credible witneſs before any juſtice of the peace, who is hereby authorized to hear and determine the ſame; every officer ſo offending, and being ſo convicted, ſhall forfeit five pounds, to be diſtributed by the ſaid juſtices amongſt the poor of the place where ſuch offence ſhall be committed.

Penalty on officers.

(2) And every officer commanding in chief upon the place, for every ſuch offence committed by any ſoldier under his command, and of which ſuch ſoldier ſhall be ſo convicted, ſhall forfeit ten ſhillings, to be paid and diſtributed in manner aforeſaid: and if upon ſuch conviction and demand made of ſuch penalties by the conſtable or overſeer of the poor of the pariſh where ſuch offence ſhall be committed, ſuch officer ſhall by the ſpace of ten days neglect to pay the ſaid penalties, ſuch officer ſhall forfeit, and is hereby declared to have forfeited his commiſſion, and his commiſſion is hereby declared void.

XII. *ſect.*

XII. *ſect.* 11. No civil magiſtrate or conſtable *ſhall* be obliged to find quarters for or give billets to other ſoldiers than thoſe only whoſe true chriſtian and ſirname ſhall be delivered to him in writing under the hand of the officer at the time ſuch quarters or billets are deſired, all which names ſhall be written together and delivered in one piece of paper ſigned as is aforeſaid, and the chriſtian and ſir-names of every ſoldier to be quartered or billetted, together with the name of the perſon on whom they ſhall be billetted or quartered, ſhall be given in writing by the conſtable or civil officer billetting or quartering ſuch ſoldier, and be contained in the billet given by ſuch civil officer, Billets for quarters.

XIII. *Brit. Stat.* 1 *Geo.* 1. *cap.* 47. *ſect.* 1. If any perſons, other than inliſted ſoldiers, ſhall in Great Britain or Ireland, or in the iſles of Jerſey or Guernſey, by words or other means perſuade and procure any ſoldier in ſervice of his Majeſty to deſert, or ſhall endeavour to procure ſuch ſoldier to deſert, he ſhall forfeit 40*l.* to his Majeſty, &c. or to any other perſon who ſhall ſue for the ſame; and if any ſuch offender being convicted hath not goods, &c. to ſatisfy the ſame, or if from the circumſtances of the crime it ſhall be thought proper, the court before which the conviction ſhall be, ſhall award the offender to priſon for any time not exceeding ſix months, and alſo to ſtand in the pillory for one hour in ſome market-town near the place, or in the market-town where the offence was committed, in open market. Procuring ſoldiers to deſert.

XIV. *ſect.* 2. No action ſhall be brought or proſecution carried on by virtue of this act, unleſs the ſame be commenced within ſix months after the offence. Action in ſix months.

XV. *ſect.* 3. Any perſon having profeſſed the popiſh religion, who ſhall not at the time of his inliſting declare to the officer or ſoldier who inliſteth him that he has been or is of the popiſh religion, ſhall be liable to ſuch corporal puniſhment, not extending to life, as a court-martial ſhall inflict. Papiſts inliſting.

XVI. *Brit. Stat.* 3 *Geo.* 1. *cap.* 2. *ſect.* 50. For ſuch offences as ſhall be committed againſt the act 1 *Geo.* 1. *cap.* 47. in England, the penalties ſhall be recoverable in any of the courts at Weſtminſter, and in Scotland in the court of exchequer there, and in Ireland in any of the four-courts at Dublin. Four-courts at Dublin.

XVII. *Stat.* 3 *Geo.* 2. *cap.* 10. *Sect.* 1. No owner of carriages *for the baggage of ſoldiers in their march*, ſhall be compelled to take any loading, or be forced to proceed in the march with the reſpective carriages, until ſuch time as the officer or other perſon who ſhall require ſuch carriage, ſhall pay down in hand to the owner or his ſervant, for every mile or reputed mile they are to march, three-pence for every wheel-car, and one penny half-penny for every ſlide-car; which ſums ſo to be advanced, ſhall be repaid to ſuch officer by the paymaſter-general or vice-treaſurer without fee, on oath made by ſuch officer before one juſtice of the peace, or the chief magiſtrate of any city or town-corporate, of his having paid ſuch ſums for carriage. Payment for carriages.

(2) Nor ſhall the owner of ſuch carriage be obliged to take any loading until the ſame ſhall be firſt duly weighed at the expence of the owners, if they ſhall think fit, and the ſame can be done in a reaſonable time without hindrance of his Majeſty's ſervice; and if the officer or other perſon requiring ſuch carriage, ſhall compel the owner of ſuch carriage to take any loading until the ſame ſhall be firſt duly weighed, if the ſame can be done in a reaſonable time without hindrance of his Majeſty's ſervice, or ſhall contrary to the will of the owner of ſuch carriage, or his ſervant, permit any perſons to put any greater load upon anycarriage than as is herein before directed, either at the time of loading or in the march, every ſuch officer ſhall for- Weighing the loading.

feit ten ſhillings, proof thereof being firſt made upon oath before one of his Majeſty's juſtices of the peace for the ſame county, or the chief magiſtrate of the place where ſuch offence ſhall be committed, who are to make certificate thereof to the paymaſter-general of his Majeſty's forces, who is required to pay the ſame to the party injured, or other perſon producing the ſaid certificate, and to deduct the ſame out of the pay of ſuch officer.

Second day's hire for carriages.

XVIII. *ſect.* 2. If by the negligence of the conſtables *in providing carriages*, the officer or other perſon requiring ſuch carriage ſhould be neceſſitated to take the ſaid carriage another day's march, ſuch officer or other perſon ſhall for every mile or reputed mile the ſaid carriage ſhall be compelled to march, beſide what ſhall be paid for the ſaid firſt day, pay three pence *per* mile for every wheel-car, and for every ſlide-car one penny half-penny *per* mile, which ſums ſo to be advanced, ſhall be repaid to ſuch officer in ſuch manner as the ſums are to be paid for the firſt day's march; and if ſuch officer or perſon requiring ſuch carriage, ſhall neglect to pay down to the owner of ſuch carriage the ſums hereby appointed to be paid for ſuch further day's march, they ſhall forfeit twenty ſhillings *ſterling*, to be paid to the perſon injured on ſuch proof, and in ſuch manner as is herein before appointed.

Farmers cars coming to markets.

XIX. *ſect.* 3. *Whereas farmers and carriers coming to markets from places at a great diſtance from ſuch markets have been detained and employed in carrying ſuch baggage, to their great loſs and the diſcouragement of trade*; no car or carriage coming to any markets ſhall be detained or employed in carrying ſuch baggage on any pretence whatſoever.

The act 6 Ann. confirmed.

XX. *ſect.* 4. All the clauſes, powers, and authorities contained in the act, 6 *Ann. cap.* 14. other than ſuch clauſes as are hereby repealed or altered, ſhall remain in force.

Number of carriages to be provided.

XXI. *Stat.* 15 *Geo.* 2. *cap.* 6. *ſect.* 2. *Whereas ſince the making of the act,* 6 *Ann. cap.* 14. *the troops and companies have been greatly augmented, and by the preſent eſtabliſhment each company of foot is to conſiſt of ſeventy private men, three ſerjeants, three corporals and two drums, and each troop of horſe or dragoons of forty private men, ſo that the number of carriages provided by the ſaid act will not be ſufficient*; upon the march of any regiment, troop, company, or detachment, the juſtices of the peace or chief magiſtrate ſhall iſſue their order to the conſtables as in the ſaid former act, to provide a ſufficient number of carriages, ſo as the ſame do not exceed five wheel cars or ten ſlide cars for each troop or company, for which three pence *per* mile for each wheel car, and the ſum of one penny half-penny *per* mile for every ſlide-car ſhall be paid; which ſums to be advanced ſhall be repaid by the vice-treaſurer without fee, and ſo in proportion upon any future augmentation or reduction of the number of men in the troop and company upon the eſtabliſhment of this kingdom.

Spirits.

Recital of the act 17 & 18 Car. 2. Retailers of ſtrong waters.

Sums for licences.

I. *Stat.* 3 *Geo.* 3. *cap.* 21. *ſect.* 11. *Whereas by an act made in the ſeventeenth and eighteenth years of the reign of King Charles the ſecond, for the better ordering the ſelling of wines and* aqua vitæ, *together with all ſorts of ſtrong waters by retail, it is enacted amongſt other things, that every retailer of* aqua vitæ, *or other kind of ſtrong waters whatſoever, ſhall be obliged to take out a licence for that purpoſe, and ſhall for ſuch licence pay ſuch ſum as ſhall be agreed upon, ſo as none do pay leſs than the ſum of ten ſhillings yearly, and none be compelled to pay more in the city and county of the city of Dublin, than ten pounds yearly, and in all other places than five pounds yearly: And whereas the number of ſpirit retailers, and the conſumption of ſpirits*

priced

priced and noxious ſpirits have of late grievouſly increaſed in the city and county of Dublin, to the manifeſt encouragement of drunkenneſs, and all ſorts of diſorders, to the ruin of many valuable trades and manufactures, and to the great detriment of the health of his Majeſty's ſubjects: for remedy whereof, immediately after the paſſing of this act, there ſhall be payable to his Majeſty, for every licence to be granted for ſelling *aqua vitæ*, or any kind of ſtrong waters or ſpirits whatſoever by retail in the ſaid city, and within four miles of the Tholſel of the ſaid city, as well within franchiſes and liberties as without, ſuch ſum as ſhall be agreed to be paid for ſuch licence, purſuant to the direction of the ſaid act of the ſeventeenth and eighteenth of Charles the ſecond, ſo as none do pay leſs than the ſum of four pounds yearly, and none ſhall be compelled to pay more than ten pounds yearly.

Increaſe of retailers.

Duty for licences.

Retailing any kind of ſpirits.

Sums for licences.

II. *ſect.* 12. *And whereas there are at preſent great quantities of low priced and noxious ſpirits ſold in obſcure and unlicenced houſes, and the increaſing the duty upon ſpirit licences will be an additional temptation to perſons to ſell without licence: And whereas abuſes of this kind do frequently paſs unpuniſhed; in order therefore for the more expeditious determining and effectual preventing the ſame:* it ſhall be lawful for any one of the chief commiſſioners of exciſe to hear and determine all complaints, and to levy all forfeitures that ſhall be made, or incurred by or againſt any perſons for ſelling ſpirits without licence, in the ſame manner, and as effectually to all intents and purpoſes, as any three of the ſaid chief commiſſioners are now impowered to do, with like remedy of appeal, as herein aftermentioned.

Increaſing the duty on licences.

Abuſes unpuniſhed.

Hearing complaints.

Levying forfeitures.

Appeal.

III. *ſect.* 13. *Whereas the directions in the act of the thirty third year of the reign of King George the ſecond, concerning the taking of recognizances and granting of licences have occaſioned a great additional trouble and expence to the collectors of the duty ariſing from licences, particularly in the diſtrict of Dublin, and the fees allowed by law for the ſame are by no means adequate to the trouble and expence thereof:* it ſhall be lawful for the collector of the duties ariſing from ſtrong water licences, in the collection of Dublin diſtrict, to take and receive from every perſon that ſhall be licenced to ſell ſtrong waters by retail, two ſhillings, and no more, for every recognizance, provided that the ſaid collector do take good and ſufficient ſecurity, that the ſaid perſons do keep a good and orderly houſe, according to the intent and meaning of the ſaid recited act.

Granting licences.

Fees not adequate.

Collectors of Dublin diſtrict.

Two ſhillings fees.

IV. *ſect.* 14 No perſon ſhall be intitled unto, or maintain any cauſe, action, or ſuit, for, or recover either in law or equity, any ſums of money, debt, or demands whatſoever, for or on account of any ſpirituous liquors, unleſs ſuch debt ſhall have really been, and *bona fide* contracted at one time to the amount of five ſhillings or upwards, nor ſhall any particular article or *item*, in any account or demand for ſpirituous liquors be allowed or maintained, where the liquors delivered at one time, and mentioned in ſuch article or *item*, ſhall not amount to the full value of five ſhillings at the leaſt, and that without fraud or covin, and where no part of the liquors ſo ſold or delivered, ſhall have been returned or agreed to be returned directly or indirectly; and in caſe any retailer of ſpirituous liquors ſhall take or receive any pawn or pledge from any perſon, by way of ſecurity, for the payment of any ſums of money, owing by ſuch perſons for ſuch ſpirituous liquors or ſtrong waters, every perſon offending herein ſhall forfeit forty ſhillings for every pawn or pledge ſo taken in, or received by them, to be levied and recovered by warrant under the hand and ſeal of one juſtice of the peace where the offence is committed, and one moiety thereof ſhall be to the uſe of the poor of the pariſh where ſuch offence is committed, and the other moiety to the informers, and the perſons to whom any ſuch pawn or pledge ſhall belong, ſhall have the ſame remedy for recovering ſuch pawn, or the value thereof, as if it had never been pledged.

Debts for ſpirituous liquors, five ſhillings or upwards.

Without fraud or covin.

Pawn taken for ſpirits, forfeit 40 s. ſhillings.

One juſtice of peace.

Recovering pawn or the value.

No licence to gaols, &c.

V. *ſect.* 15. No licenſe ſhall be granted for the retailing of ſpirituous liquors, beer, ale, wine, cyder, or other liquors within any gaol, priſon, houſe of correction, work-houſe, or houſe of entertainment for any pariſh poor, and all licences granted, or to be granted, contrary to this proviſion, ſhall be void and of no effect, after the ſaid twenty fourth day of June, one thouſand ſeven hundred and ſixty four.

Such licence void.

Retailers of ſpirituous liquors.

VI. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 1. *Whereas ſome doubts have been made concerning perſons who ſhould be deemed retailers of ſpirituous liquors*, it *is* therefore declared and enacted, that from and after the 24th day of June, 1766, every perſon who ſhall ſell any ſpirituous liquors in any quantity under one gallon, ſhall be deemed to be retailers, and be ſubject to all the laws and rules now in force with reſpect to retailers of ſuch commodities.

Drawback on ſpirits.

VII. *ſect.* 10. *And whereas it will be advantageous to the tillage of this country, that ſome additional drawback of the inland exciſe upon ſpirits and ſtrong waters diſtilled in this kingdom, may be given upon exportation of the ſame*, it *is* enacted, that after the *1ſt* day of January, 1767, the perſon exporting ſuch ſpirits or ſtrong waters, ſhall be intitled to an additional drawback of three pence *per* gallon, out of the inland exciſe, upon ſuch ſpirits or ſtrong waters, over and above any other drawback heretofore granted upon exportation of the ſame, ſuch drawback to be allowed in ſuch manner as ſuch perſon would have been intitled to any former drawback of exciſe, under an act made in the thirty third year of his late Majeſty's reign, *for the better regulating the collection of his Majeſty's revenue*, ſuch perſon performing the ſeveral requiſites, and ſubject to the ſeveral reſtrictions and penalties in the ſaid act mentioned.

Security to be given.

VIII. *ſect.* 11. No perſon ſhall ſhip, or put on board any ſhip or veſſel, any ſpirits, exceeding what ſhall be neceſſary for ſhip's ſtores during her intended voyage, in order to diſcharge or land the ſame in any other port or place within this realm, unleſs ſuch perſons ſhall, before the ſhipping thereof, declare and manifeſt to the collector, cuſtomer, or comptroller of the port where the ſame ſhall be ſhipped, in the open cuſtom-houſe, the juſt and true contents and value of the ſaid ſpirits, and ſhall alſo make and enter into a ſufficient obligation in the law to the King's Majeſty, with ſufficient ſureties, in ſuch ſum as ſhall amount to double the value of ſuch ſpirits ſo declared and manifeſted, with condition that the ſame ſhall be diſcharged at ſome lawful port or place within this realm, (mentioning the port or place particularly) and not in any other port or place whatſoever, (the danger of the ſea only excepted) and that a certificate ſhall be returned within the ſpace of ſix months, atteſted by the collector, or other chief officer of the port where ſuch ſpirits ſhall be landed, that the ſame were landed accordingly; and the ſaid bond ſhall be valid and effectual in law for the recovery of the penalties therein reſpectively contained, until ſuch certificate ſhall be returned, and ſhall from thenceforth be void, and delivered up to be cancelled.

Certificate of landing.

Loſs at ſea.

IX. *ſect.* 12. Provided, that if the ſaid ſpirits ſhall periſh, or be loſt at ſea, and that duly proved to the ſatisfaction of the chief commiſſioners of the revenue, or any three or more of them, the ſaid bonds ſhall thereupon be void and of no effect, and be delivered up to the reſpective obligers; which bonds and certificates the collectors, cuſtomers, or comptrollers reſpectively are hereby required and authorized to take and give accordingly.

Running ſpirits.

X. *Brit. Stat.* 5 *Geo.* 3. *cap.* 43. *ſect.* 1. *Whereas great quantities of brandy, rum, and other ſpirits, are clandeſtinely run on ſhore in Great Britain, from ſmall veſſels which are cleared outwards from Ireland, under the pretence of being deſtined with*

ſuch

ſuch goods to foreign parts, to prevent which practices for the future, be it enacted, if any brandy, rum, ſtrong waters, or ſpirits of any kind whatſoever, ſhall be entered or ſhipped for exportation from Ireland, to any port or place not within the ſame kingdom, in any ſhip or veſſel whatſoever, under the burthen of one hundred tons, except only for the uſe of the ſeamen then belonging to and on board ſuch veſſel, not exceeding two gallons for each ſuch ſeaman; every ſuch veſſel, with all her tackle, furniture, and apparel, and alſo all ſuch brandy, rum, ſtrong waters, or ſpirits, ſhall be forfeited, and may be ſeized by any officer of the revenue in Ireland, and proſecuted, tried, determined, and diſpoſed of, in ſuch manner as any forfeiture incurred by the laws now in force in Ireland, againſt the running or intending to run goods into that kingdom, may, by any act or acts of parliament now in force in that kingdom, be proſecuted, tried, determined, and diſpoſed of.

Ships under 100 tuns.

Forfeiture of ſhip and goods.

Squibs.

I. *Stat.* 5 *Geo.* 2. *cap.* 12. *ſect.* 1. It ſhall not be lawful for any perſons to make or cauſe to be made, or ſell or expoſe to ſale any ſquibs, rockets, ſerpents, or other fire-works, or any caſes, moulds, or other implements for the making any ſuch ſquibs, or for any perſons to permit any ſquibs or other fire-works to be thrown or fired from or in their houſes, lodgings, or habitations, or place thereto belonging, or adjoining unto any public ſtreet, road, or paſſage, or for any perſons to throw or fire, or to be aſſiſting in the throwing or firing of any ſquibs or other fire-works into any public ſtreet, houſe, ſhop, river, highway, road or paſſage, and every ſuch offence, ſhall be adjudged to be a common nuſance.

Making or firing ſquibs.

II. *ſect.* 2. If any perſon ſhall make or cauſe to be made, or ſhall give, ſell, or utter any ſquibs, or any moulds or implements for the making any ſuch ſquibs, every ſuch perſon ſo offending, and being thereof convicted before one juſtice of the peace or chief magiſtrate of the place where ſuch offence ſhall be committed, by the confeſſion of the parties, or the oaths of two witneſſes, ſhall forfeit five pounds.

Penalty on conviction.

(2) And if any perſons ſhall permit any ſquibs to be thrown or fired from their houſes, ſhops, lodgings, or habitation, or in any place thereto belonging or adjoining into any public ſtreet, road, or paſſage, or any other place, every ſuch perſon ſo offending and being thereof as aforeſaid convicted, ſhall forfeit twenty ſhillings, the ſaid ſeveral forfeitures to be levied by diſtreſs and ſale of the goods of every ſuch offender, by warrant of the juſtice or chief magiſtrate before whom the convictions ſhall be made, the one half of the forfeitures to be to the uſe of the poor of the pariſh where ſuch offence ſhall be committed, and the other half to the uſe of them who ſhall proſecute and cauſe ſuch offenders to be convicted.

Permitting the throwing ſquibs from houſes, &c.

III. *ſect.* 3. If any perſon ſhall throw or fire, or be aiding or aſſiſting in the throwing or firing any ſquibs into any public ſtreet, houſe, ſhop, river, highway, or paſſage, every perſon ſo offending and being thereof as aforeſaid convicted, ſhall forfeit twenty ſhillings to the uſes aforeſaid.

Perſons aiding and aſſiſting.

(2) And if any perſons ſo offending ſhall not immediately upon their being convicted, pay to the juſtice or chief magiſtrate before whom ſuch conviction ſhall be made the ſaid forfeitures for the uſes aforeſaid, ſuch juſtice or chief magiſtrate are required by warrant to commit ſuch perſons to the houſe of correction within the county or liberty where ſuch offence ſhall be committed, there to be kept at hard labour for any time not exceeding one month, unleſs ſuch offender ſhall ſooner pay ſuch forfeitures to the ſaid juſtice.

Commitment to the houſe of correction.

IV. *ſect.*

Squibs.

Maſter of the ordnance.

IV. *ſect.* 4. Provided that it ſhall be lawful for the maſter, lieutenant, or commiſſioners of his Majeſty's ordnance, or any other perſons to be by any of them authorized to give orders for the making any ſorts of fire works, to be uſed and fired according to ſuch orders.

General iſſue.

V. *ſect.* 5. Any perſon ſued for putting in execution this act, may plead the iſſue of not guilty, &c. and if the plaintiff be nonſuited, or a verdict paſs for the defendant, or if ſuch plantiff diſcontinue his action, or if upon demurrer judgment be given for the defendant, ſuch defendant ſhall have his full treble coſts. *Eng. Stat.* 9 & 10 *Will.* 3. *cap.* 7.

Suits.

Pleas of treſpaſs.

I. *Eng. Stat.* Glour. 6 *Edw.* 1. *cap.* 8. Sheriffs ſhall plead pleas of treſpaſs in their counties as they have been accuſtomed; and none ſhall have writs of treſpaſs before juſticers, unleſs he ſwear by his faith that the goods were worth forty ſhillings at leaſt; and if he complain of beating, he ſhall ſwear by his faith that his plaint is true; touching wounds and maims a man ſhall have his writ as before. And defendants in ſuch pleas may make their attornies, where appeal lieth not, ſo that if they be attainted being abſent, the ſheriff ſhall be commanded to take them.

Eſſoigns after appearance.

(2) And if the plaintiffs in ſuch treſpaſſes cauſe themſelves firſt to be eſſoigned after the appearance, day ſhall be given them unto the coming of the juſtices in eyre, and the defendants in the mean time ſhall be in peace. If the defendant eſſoign himſelf in the Kings ſervice, and do not bring his warrant in at the day given, he ſhall recompence the plaintiff's damages for the day 20 *s.* or more, after the diſcretion of the juſtices, and nevertheleſs ſhall be grievouſly amerced.

Death of parties.

II. *Stat.* 7 *Will.* 3. *cap.* 7. *ſect.* 2. In all actions real and perſonal or mixt, the death of either party between the verdict and the judgment ſhall not be hereafter alledged for error, ſo as judgment be entered within two terms after ſuch verdict. *Eng. Stat.* 17 *Car.* 2. *cap.* 8.

Coſts to defendants.

III. *Stat.* 9 *Will.* 3. *cap.* 35. *ſect.* 1. If any perſons ſhall be made defendants with others in any action in treſpaſs *quare clauſum fregit*, or treſpaſs of aſſault and battery, and ſuch perſons ſo joined, ſhall upon trial of the ſame be acquitted by verdict, altho' the other defendant ſhall be found guilty, every perſon ſo acquitted, ſhall have their coſts of ſuit, as if a verdict had been given for all the defendants in ſuch action; unleſs the judges before whom ſuch cauſe ſhall be tried, ſhall immediately after the trial thereof in open court, certifie upon the record under his hand, that there was a reaſonable cauſe for the making ſuch perſon or perſons defendants.

Coſt on demurrers.

IV. *ſect.* 2. If any perſon ſhall proſecute any action in any court of record whereupon demurrer ſhall be joined by any plaintiff or defendant, demandant or tenant, in ſuch ſuits, they for whom judgment ſhall be given upon ſuch demurrers, ſhall have their coſts of ſuit to be awarded by the court in ſuch manner as if ſuch judgment had been given or recovery had by ſuch parties upon action tried by jury, and verdict paſſed for ſuch party therein.

Coſts and damages on writs of error.

(2) And if any perſons ſhall obtain any judgment in any of his Majeſty's courts of record, and the perſons againſt whom ſuch judgments ſhall be given, ſhall ſue forth any writ *of* error, and the judgments ſhall be affirmed or the ſaid writ of error diſcontinued, or the plaintiffs become nonſuit, the perſons againſt whom ſuch writs ſhall be brought, ſhall recover their coſts and damages at the diſcretion of the juſtices

juſtices before whom ſuch writs ſhall be ſued, and have execution for their damages or coſts ſo recovered by writs of *capias ad ſatisfaciendum*, *fieri facias* or *elegit*.

V. *ſect.* 3. If any perſon bring any action of waſte, or action of debt upon the ſtatute for not ſetting forth of tithes, in which the ſingle value or damage found by the jury ſhall not exceed three pounds, the plaintiffs recovering either by judgment upon verdict, or demurrer, in ſuch actions, ſhall likewiſe have their coſts at the diſcretion of the juſtices before whom ſuch writs ſhall be brought, and judgment therein given. Actions of waſte, debt, &c.

(2) As alſo if any perſon ſhall ſue forth any writ of *ſcire facias*, or commence any ſuit in prohibition, and have judgment in the ſame, either by verdict or upon demurrer, ſuch plaintiffs ſhall have their coſts of ſuit in ſuch actions at the diſcretion of the juſtices before whom ſuch recovery ſhall be had. *Scire facias* prohibition.

(3) And if in any the ſuits aforeſaid the plaintiffs ſhall become nonſuit, or verdicts paſs againſt them in ſuch ſuit, or they ſhall diſcontinue their ſuit, the defendants ſhall have their coſts of ſuit in ſuch manner as ſuch plaintiffs ſhould have done if they had judgment given for them, and in all the actions aforeſaid where any of the parties ſhall ſo recover their coſts of ſuit, it ſhall be lawful for them to ſue forth execution for ſuch coſts by writ of *capias ad ſatisfaciendum*, *fieri facias* or *elegit*. Nonſuits, verdicts, diſcontinuance, &c.

VI. *ſect.* 4. In all actions of treſpaſs in any of his Majeſty's courts of record at Dublin, wherein at the trial of the cauſe it ſhall appear, and be certified by the judges before whom ſuch cauſe ſhall be tried, under their hands on the back of the record, that the treſpaſs upon which any defendant ſhall be found guilty was wilfully and maliciouſly committed, the plaintiff ſhall not only recover his damages aſſeſſed by the jury, but his full coſts of ſuit, to be taxed by the direction of the court. Damages and coſts in treſpaſs.

VII. *ſect.* 5. No alteration ſhall be made in any the caſes aforeſaid, where any executor or adminiſtrator ſhall be defendant in any the ſuits aforeſaid, but in all ſuch caſes they ſhall not be ſubject to payment of any coſts of ſuit otherwiſe than as the law now requires. Executors and adminiſtrators.

VIII. *ſect.* 6 In all actions in any court of record, if any plaintiff in ſuch actions ſhall die after they ſhall have obtained any interlocutory judgment, and before final judgment, the death of ſuch plaintiffs ſhall not abate ſuch actions or hinder the further proceedings of ſuch cauſe, but their executors or adminiſtrators may proceed to final judgment againſt the defendants, if ſuch actions be ſuch as by law might have been maintained originally by any executor or adminiſtrator. Death of plaintiffs.

(2) And if the defendant ſhall die after ſuch interlocutory and before final judgment, ſuch dying ſhall not abate ſuch actions, but it ſhall be lawful for ſuch plaintiff, his executor or adminiſtrator to proſecute ſuch their actions againſt the executors or adminiſtrators of ſuch defendants, as if the defendants had been living, if ſuch actions be ſuch as might by law be originally brought againſt an executor or adminiſtrator. Death of defendants.

(3) And in caſe of the death of ſuch plaintiffs, it ſhall be lawful for their executors or adminiſtrators to ſue forth writs of *ſcire facias* againſt the defendants in ſuch actions if then living, or if dead againſt the executors or adminiſtrators of ſuch defendants, for reviving and continuing ſuch ſuits till judgment, final ſhall be given therein. Executors of plaintiffs.

(4) And in caſe of the death of ſuch defendants, it ſhall be lawful for ſuch plaintiffs or their executors or adminiſtrators, to ſue forth writs of *ſcire facias* againſt the executors or adminiſtrators of ſuch defendants, for reviving and continuing ſuch ſuits *Scire facias* againſt executors.

ſuits till judgment, the effect of which writs of *ſcire facias* ſhall be for the parties againſt whom the ſame ſhall be awarded, to ſhew cauſe why notwithſtanding ſuch the death of any the parties to ſuch ſuits, the plaintiffs in the ſaid writs of *ſcire facias*, or their executors or adminiſtrators ſhould not proceed to judgment final therein, for the recovery of ſuch debt or damage for which ſuch action was brought.

Writs of inquiry of damages.

(5) And if at the return of ſuch writs the defendants ſhall appear, but not ſhew ſufficient cauſe to ſtay or arreſt the judgment final, or in default of ſuch appearance, it ſhall be returned that ſuch defendants were duly warned, or after two ſuch writs of *ſcire facias* returned, it be returned that the defendants could not be found in the bailiwick where ſuch ſummons iſſued, or that they had nothing in the ſaid bailiwick by which they could be ſummoned, writs of inquiry of damage ſhall be awarded for the plaintiffs, upon return of which duly executed judgment final ſhall be given for ſuch plaintiffs.

Death of joint plaintiffs or defendants.

IX. *ſect.* 7. If two or more perſons ſhall be jointly plaintiffs in any actions againſt two or more perſons jointly named defendants therein, the death of one or more of ſuch plaintiffs or ſuch defendants ſhall not abate ſuch writs, but the ſame being ſuggeſted upon the record it ſhall be lawful for the ſurviving plaintiffs to proceed to judgment againſt the ſurviving defendants.

Breaches of covenant.

X. *ſect.* 8. In all actions which ſhall be proſecuted in any of his Majeſty's courts of record, upon any bond or on any penal ſum for non performance of covenants, the plaintiffs may aſſign as many breaches of the ſaid covenants as they ſhall think fit, and it ſhall be lawful for the jury upon trial of ſuch actions not only to aſſeſs ſuch damages and coſts of ſuit as have been uſually done, but alſo to give damage for ſuch of the ſaid breaches as ſuch plaintiffs upon trial of the iſſues taken therein ſhall prove to have been broken, and the like judgment ſhall be entered on every ſuch verdict as have been uſually done in ſuch like caſes.

Defendants not pleading.

(2) And if ſuch defendants ſhall not plead to the iſſue, but judgment ſhall be given for ſuch plaintiffs upon demurrer or by *nihil dicit*, *non ſum informatus*, *cognovit actionem* or the like, it ſhall be lawful for ſuch plaintiffs to ſuggeſt upon the record as many breaches of the ſaid covenants as they ſhall think fit, upon which writs ſhall iſſue directed to the ſheriff of that county where ſuch action ſhall be brought, to ſummon a jury to appear before the juſtices of aſſiſe or *niſi prius* at their next coming into that county, to inquire of the truth of thoſe breaches, and to aſſeſs the damages ſeverally which the plaintiffs ſhall have ſuſtained for every of the breaches ſo aſſigned, in which it ſhall be likewiſe commanded to the ſaid juſtices of aſſiſe or *niſi prius* before whom ſuch damages ſhall be given, that they ſhall make a full return of the ſaid writs and the due execution thereof to the court from which the ſame ſhall iſſue according to the exigency thereof and the time therein mentioned, which writs ſo returned ſhall be filed, and thereupon judgments ſhall be entered as in caſes of writs of inquiry of damages of the like nature.

Payment before execution.

(3) And in caſe the defendants before execution executed ſhall pay into the court to the uſe of the plaintiffs or their executors or adminiſtrators, ſuch damages ſo aſſeſſed by the jury, together with the coſts of ſuit, a ſtay of execution ſhall be entered upon the record of the ſaid judgment.

Diſcharge from execution.

(4) Alſo whenſoever by reaſon of any execution ſued forth and executed upon ſuch judgment, the plaintiffs, their executors or adminiſtrators ſhall be fully ſatisfied all their debt or damages ſo aſſeſſed, or the penalty of ſuch bond or bill penal at the election of the defendant together with their coſts of ſuit, and all reaſonable charges and expences for executing the ſaid execution, from thenceforth the body, goods, and lands of ſuch defendant ſhall be diſcharged from ſuch execution, which diſcharge ſhall likewiſe be entered upon the record of the judgment.

(5) Yet

(5) Yet notwithſtanding ſuch diſcharges, or ſtay of ſuch executions, and the entries of either of them upon record, where ſuch damages do not amount to the penalty of ſuch bond or bill penal, ſuch judgments ſhall ſtill remain, and be in full force, as a further ſecurity to anſwer to ſuch plaintiffs, their executors or adminiſtrators all ſuch damages as ſhall be afterwards ſuſtained by any further breach of any covenants, as far as the remainder of ſuch penalty after the payment of the damage formerly recovered out of the ſame will reach; upon which breaches, ſuch plaintiffs may ſue forth a writ of *ſcire facias* upon the ſaid judgment againſt ſuch defendants, or their executors or adminiſtrators, or againſt his heirs or ter-tenants, grounded upon ſuggeſtion of other breaches of the ſaid covenants, upon the roll of the ſaid judgment as aforeſaid; and thereupon to ſummon them to ſhew cauſe why execution ſhould not be awarded upon the ſaid judgment, upon which there ſhall be the like proceedings as was in the original action of debt brought, and upon ſatisfaction made of ſuch future damages, coſts and charges in manner as aforeſaid, or of ſo much of ſuch future damages as the remaining ſum of the penalty of ſuch bond or bill penal, after payment and ſatisfaction for the damages formerly recovered will extend unto, together with coſts of ſuit, all further proceedings *on* the ſaid judgment ſhall again be ſtayed, and ſo *toties quoties* upon every new breach. *Eng. Stat.* 8 & 9 *Will.* 3. *cap.* 11. Judgments to remain as ſecurity.

XI. *Stat.* 2 *Geo.* 1. *cap.* 11. *ſect.* 14. In all actions of treſpaſs, and actions for aſſault and battery, in any of his Majeſty's four courts in Dublin, and in all actions on the caſe for ſlanderous words to be ſued in any court of record, the plaintiff in caſe the jury ſhall find the damages to be under 40 *s.* ſhall not recover more coſts than damages; and if more coſts in any ſuch action be awarded, the judgment ſhall be void, and the defendant acquitted from the ſame. No more coſts than damages.

XII. *ſect.* 15. Provided that if the judge at the trial of any action of aſſault and battery or action of treſpaſs, ſhall certifie under his hand upon the back of the record that the aſſault was ſufficiently proved, or that the freehold and title of the land mentioned in the plaintiffs declaration was chiefly in queſtion, or that the treſpaſs was voluntary and malicious, the plaintiff in ſuch caſe ſhall recover, though the jury ſhould find damages to be under 40 *s.* his full coſts. *Eng. Stat.* 22 & 23 *Car.* 2. *cap.* 9. *ſect.* 136. Certificate of the judge.

XIII. *Stat.* 4 *Geo.* 1. *cap.* 13. Whereas doubt hath been made upon the words in the clauſe in the act 9 *Will.* 3. *cap.* 35. *ſect.* 3. whether the defendants having judgment given for them upon demurrer ſhall have their coſts of ſuit in ſuch manner as plaintiffs ſhould have, for explanation whereof it is enacted, that where judgment ſhall upon demurrer paſs againſt the plaintiffs in ſuch ſuits, the defendants ſhall recover their coſts of ſuit in ſuch manner as ſuch plaintiffs ſhould have done if they had recovered and had judgment given for them. Coſts to defendants on demurrers.

Surety of the peace.

I. *Stat.* 10 & 11 *Car.* 1. *cap.* 10. *ſect.* 1. All proceſs of the peace or good behaviour to be granted or awarded out of the chancery and King's bench, or either of them, againſt any perſons ſhall be void, unleſs ſuch proceſs ſhall be awarded upon motion firſt made before judges of the ſame courts reſpectively ſitting in open court, and upon declaration in writing upon their corporal oaths to be then exhibited unto them by the parties which ſhall deſire ſuch proceſs, of the cauſes for which ſuch proceſs ſhall be awarded, and unleſs that ſuch motion and declaration be mentioned to be made upon the back of the writ, the ſaid writings there to be entered and remain of record. Proceſs of the peace.

Untrue ſuggeſtions.

(2) And if it ſhall afterwards appear to the court that the cauſes expreſſed in ſuch writings be untrue, the judges of the ſaid courts, or either of them reſpectively, ſhall award ſuch coſts and damages unto the parties grieved as they ſhall think fit; and the party or parties ſo offending, may be committed to priſon until they pay the ſaid coſts and damages.

Superſedeas to be on motion.

II. *ſect.* 3. All writs of *ſuperſedeas* to be granted by either of the courts aforeſaid ſhall be void, unleſs ſuch proceſs be granted upon motion and upon ſuch ſureties as ſhall appear upon oath, to be aſſeſſed at five pounds lands, or ten pounds in goods in the ſubſidy book, which oaths and the names of ſuch ſureties, with the places of their abode, and where they ſtand aſſeſſed, ſhall be entered of record; and unleſs it ſhall alſo appear to the judges that the proceſs of the peace or good behaviour is proſecuted by ſome party grieved.

Puniſhment for miſdemeanor.

III. *ſect.* 4. The judges of the courts aforeſaid, upon proof of any miſdemeanors committed in the obtaining of writs of *ſuperſedeas* or procuring ſurety, may likewiſe puniſh the falſe and inſufficient ſureties and the procurers thereof, ſo as ſuch puniſhment extend not to life or member. *See Tit.* **Certiorari.** *Eng. Stat.* 21 *Jac.* 1. *cap.* 8.

Swearing and curſing.

Penalty for profane ſwearing.

I. *Stat.* 10 & 11 *Car.* 1. *cap.* 1. *ſect.* 1. No perſon ſhall profanely ſwear or curſe and if any perſon ſhall offend herein, either in the hearing of a juſtice of peace, or of any mayor or head officer of a city or town corporate where ſuch offence is committed, or ſhall thereof be convicted by the oath of two witneſſes, or confeſſion of the party before ſuch juſtice, &c. ſuch offender ſhall for every time forfeit to the poor of that pariſh 12 *d.*

Setting in the ſtocks, &c.

(2) And it ſhall be lawful for the conſtable, churchwardens and overſeers of the poor, to levy the money by diſtreſs and ſale of goods; and in defect of diſtreſs, the offender, if above the age of twelve years, ſhall by warrant from ſuch juſtice, &c. be ſet in the ſtocks three hours, but if the offender be under twelve years and ſhall not pay the ſum, he or ſhe by warrant of ſuch juſtice, &c. ſhall be whipped by the conſtable, or by the parent or maſter in his preſence.

General iſſue.

II. *ſect.* 2. If any ſuch offender ſhall commence any ſuit for ſuch diſtraining, &c. the defendants may plead the general iſſue.

Complaint in 20 days.

III. *ſect.* 3. Provided that every offence againſt this law be complained of and proved within twenty days after the offence, and this act ſhall be read in every pariſh church by the miniſter upon Sunday after evening prayer, twice in the year. *Eng Stat.* 21 *Jac.* 1. *cap.* 20.

Penalties for profane ſwearing and curſing.

IV. *Stat.* 7 *Will.* 3. *cap.* 9. *ſect.* 1. If any perſon ſhall prophanely ſwear and curſe in the preſence or hearing of any juſtice of peace, or of the mayor or other head officer for any city or town corporate where ſuch offence ſhall be committed, or ſhall be thereof convicted by the oath of one witneſs or by the confeſſion of the party, before any juſtice, mayor or bailiff, or other chief officer where the ſaid offence ſhall be committed, for every ſuch offence, the party offending, ſhall forfeit to the uſe of the poor of the pariſh where ſuch offence ſhall be committed, the reſpective ſums herein after mentioned, that is to ſay, every ſervant, day-labourer, common ſoldier and common ſeaman, one ſhilling, and every other perſon two ſhillings; and in caſe any of the perſons aforeſaid ſhall after conviction offend a ſecond time, ſuch perſons ſhall forfeit double, and if a third time, treble the ſum to be paid for the firſt offence.

V. *ſect.*

V. *ſect.* 2. Upon neglect of payment, any juſtice of peace, &c. ſhall ſend his warrant to the conſtable, tithingman, churchwarden, or overſeer of the poor of the pariſh where the offence ſhall be committed or the offender inhabit, commanding them to levy by diſtreſs and ſale of goods the ſum forfeited. Warrant of diſtreſs.

(2) And in caſe no diſtreſs can be had, ſuch offender being above the age of ſixteen years, ſhall by warrant of the juſtice, &c. be ſet in the ſtocks one hour for every ſingle offence, and for any number of offences whereof he ſhall be convicted at one time, two hours. Setting in ſtocks.

(3) And if the party offending be under the age of ſixteen years, and ſhall not pay the forfeitures, he ſhall by warrant be whipped by the conſtable, or by the parent, guardian or maſter of ſuch offender in preſence of the conſtable. Whipping.

VI. *ſect.* 3. If any juſtice of the peace or chief magiſtrate ſhall wilfully omit the execution of this act, he ſhall forfeit five pounds, one moiety to the informer, to be recovered by action, &c. in any of his Majeſty's courts at Weſtminſter. Omiſſion of magiſtrates.

VII. *ſect.* 4. If any action ſhall be brought for doing any thing in purſuance of this act, the defendant may plead the general iſſue, and ſhall have treble coſts. General iſſue.

VIII. *ſect.* 5. No perſon ſhall be troubled for any offence againſt this ſtatute, unleſs the ſame be proved or proſecuted within ten days after the offence. Proſecution in ten days.

IX. *ſect.* 6. This act ſhall be read four times in the year in all pariſh churches and public chapels by the parſon or curate after morning prayer, under pain of twenty ſhillings for every omiſſion. Act to be read in churches.

X. *ſect.* 7. The juſtices of peace, &c. ſhall regiſter all the convictions made before him upon this act, and ſhall certifie the ſame to the next quarter-ſeſſions, to be kept upon record by the clerks of the peace, to be ſeen without fee. *Eng. Stat.* 6 & 7 *Will. & Mar. cap.* 11. Regiſtry of convictions.

Tail.

1. *Eng. Stat.* Weſt. 2. 13 *Edw.* 1. *cap.* 1. *ſect.* 1, 2. Concerning lands given upon condition, *viz.* where any giveth his land to a man and his wife, and to the heirs begotten of the bodies of the man and his wife, with condition expreſſed, that if the man and his wife die without heirs of their bodies between them begotten, the land ſhall revert to the giver or his heir. Lands given on condition.

(2) Alſo where one giveth lands in free marriage, which gift hath a condition annexed, though not expreſſed in the deed, that if the huſband and wife die without heir of their bodies begotten, the land ſhall revert to the giver or his heir; alſo where one giveth land to another and to the heirs of his body iſſuing, the will of the giver, according to the form in the deed of gift ſhall be obſerved, ſo that they to whom the land was given under ſuch condition, ſhall have no power to alien the land, but it ſhall remain to their iſſue after their death, or ſhall revert unto the giver or his heirs if iſſue fail; neither ſhall the ſecond huſband of any ſuch woman have any thing in the land ſo given after the death of his wife by the law of England, nor ſhall the iſſue of the ſecond huſband ſucceed in the inheritance, but immediately after the death of the huſband and wife, to whom the land was given, it ſhall return to their iſſue, or to the giver or to his heir. Lands given in free marriage.

II. *ſect.* 3. This manner of writ ſhall be granted to the party that will purchaſe it. *Præcipe* A. *quod juſte, &c. red.* B. *manerium de* F. *cum ſuis pertinentiis, quod* C. *dedit tali viro, et tali mulieri, et heredibus de ipſis viro et muliere exeuntibus*: or thus, *quod* C. *dedit tali viro in liberum maritagium cum tali muliere, &c. et quod poſt mortem prædictorum viri et mulieris prædicto* B. *filio eorundem viri et mulieris deſcendere debeat per formam donationis prædictæ, ut dicit, &c.* or *quod* C. *didit tali et heredi-* Form of a writ.

bus de corpore ſuo exeuntibus, et quod poſt mortem illius talis prædicto B. *filio prædicti talis deſcendere debeat per formam, &c.*

Fine void without claim.

III. *ſect.* 4. If a fine be levied of ſuch lands it ſhall be void; neither ſhall their heirs, or ſuch as the reverſion belongeth unto, though they be of full age within England and out of priſon, need to make their claim. *See Tit.* Fines.

Tea.

Tea ſeized to be ſold by cant.

I. *Stat.* 33 *Geo.* 2. *cap.* 10. *ſect.* 20. All merchantable tea which ſhall be ſeized and condemned purſuant to any of the laws now in force relative to his Majeſty's revenue, ſhall, within ten days after ſuch condemnation (if there be no appeal) and in caſe of any appeal within ten days after the ſentence of condemnation ſhall be affirmed, or the appeal diſmiſſed, be publickly ſold by cant to the higheſt and beſt bidder, by the collector, or other chief officer of the place where ſuch tea ſhall be condemned.

Public notice of ſale

(2) And public notice ſhall be given by ſuch collector, or other chief officer, of the time and place of ſuch ſale, four days at the leaſt before ſuch ſale, and the purchaſer on ſuch ſale ſhall pay the duties payable to his Majeſty upon ſuch tea.

Reward to officers ſeizing.

(3) And the ſeizing officers ſhall receive from the collector or head officer of the diſtrict, out of the revenue, for every pound of green tea three ſhillings, and for every pound of bohea tea two ſhillings, in caſe ſuch green tea ſhall, upon ſuch ſale, ſell for five ſhillings *per* pound, or more, and ſuch bohea tea for four ſhillings *per* pound, or more: and in caſe ſuch green and bohea teas ſhall not, on ſuch ſale, ſell for the reſpective prices laſt mentioned, then the ſeizing officers ſhall only be paid for each pound of green tea two ſhillings, and for each pound of bohea tea one ſhilling and ſix pence, and no more, and the purchaſe money ariſing from ſuch ſale, ſhall be accounted for to his Majeſty.

Penalty on officers neglecting.

(4) And in caſe ſuch collector or other chief officer ſhall neglect to do his duty therein, he ſhall forfeit, for every ſuch offence, twenty pounds, to be recovered by civil bill, before the juſtices of aſſize of the county or place within which ſuch port or diſtrict lies, and in the county of Dublin, before ſuch judge, or ſuch of his Majeſty's council as ſhall attend at the quarter ſeſſions to be held for the ſaid county; and in the county of the city of Dublin, before the recorder, in a ſummary way, by civil bill, by any perſon who ſhall ſue for the ſame, provided ſuch ſuit be commenced within eight months after ſuch neglect, and not otherwiſe.

Tea clandeſtinely imported.

II. *ſect.* 28. A penalty of twelve ſhillings per pound for green, and nine ſhillings per pound for bohea tea, over and above all other penalties already inflicted by law, are impoſed on every hawker, retailer, or grocer, in whoſe cuſtody tea clandeſtinely imported ſhall be found; and alſo on every other perſon in whoſe cuſtody tea imported as aforeſaid ſhall be found, knowing the ſame to be run; one moiety thereof to the uſe of his Majeſty, the other moiety to the uſe of the ſeizing officer or informer.

Officers ſecreting tea.

III. *ſect.* 29. Every revenue officer who ſhall ſecrete any tea, ſhall, over and above all other penalties he may be liable to by virtue of any law now in being, forfeit twenty pounds, ſterl. to be recovered in the ſame manner as other debts of ſmall value are by law recovered, and ſhall alſo forfeit and loſe his employment in the revenue.

Contracts void.

IV. *ſect.* 30. All contracts made for tea clandeſtinely imported, or to be clandeſtinely imported, are declared to be null and void, nor ſhall any ſuit be thereupon maintainable in any court of law or equity.

Permits for tea.

V. *ſect.* 48. All tea exceeding two pounds, that ſhall be carried to the inland parts, ſhall be liable to be ſeized by any of the officers of his Majeſty's revenue, and ſhall

ſhall be deemed to be run goods and forfeited as ſuch, unleſs the carrier ſhall actually produce a permit or let-paſs, given by the proper officer of the revenue for the carriage of the ſaid goods, if demanded or required ſo to do by the ſaid officer.

VI. *ſect.* 49. Provided, that on oath made by the carrier of the loſs of ſuch permit, and by the merchant before the commiſſioners or ſub-commiſſioners of exciſe in their reſpective diſtricts, that ſuch permit was not taken out or made uſe of to his knowledge or belief, to cover or protect any other goods, but was taken out for thoſe particular goods ſo ſeized, in ſuch caſe the entry of ſuch permit in the books of the proper officer, or a copy thereof duly atteſted ſhall be evidence of ſuch permit, as if the permit had been produced at the time of ſeizure. Oath of loſs of permit.

This act is continued for two years, from the 24th day of June, 1766, and to the end of the then next ſeſſion of parliament, by the act 5 G. 2. c. 16. ſ. 36.

VII. *Stat. 3 Geo. 3. cap. 21. ſect. 16. The more effectually to prevent the running of tea, which is generally done in ſmall packages,* no tea ſhall be imported or brought into this kingdom, or into any port, harbour, haven, or creek thereof, in any package that ſhall not contain at the leaſt ten pounds weight of tea, upon pain of forfeiting all ſuch tea as ſhall be imported or brought into this kingdom in a leſs package than ten pound weight, or the value thereof. Running tea, Package under ten pounds, Forfeiture of tea.

VIII. *Stat. 5 Geo. 3. cap. 6. ſect. 1. Whereas ſome doubts have been made concerning perſons who are, or ſhould be deemed retailers of tea*; be it declared and enacted, that all perſons who ſhall ſell tea under the quantity of two pounds weight, ſhall to all intents and purpoſes be deemed and taken to be retailers of the ſaid commodity, and be ſubject to all and every of the laws and rules now in force with reſpect to retailers of ſuch commodity. Retailer of tea.

IX. *ſect.* 28. All tea in any package whatſoever (excepting ſuch tea as ſhall be directly brought from Great Britain, and proved to have been exported from thence) ſhall be ſeized and forfeited if found on board any ſhip, veſſel or boat, in any port or harbour of this kingdom, or hovering within three leagues of the ſhore of this kingdom, or ſhall be diſcovered ſo to have been, although bulk ſhall not appear to have been broke, or any of the goods run, or attempted to have been run, out of ſuch veſſel (ſave only, and except, in caſe of unavoidable neceſſity and diſtreſs) which neceſſity and diſtreſs, the maſter, purſer, or perſon having or taking the charge or command of ſuch ſhip or veſſel, ſhall immediately after the arrival of ſuch veſſel, into any bay, harbour, river or creek, of, or belonging to this kingdom, give notice and make proof of, before the collector or other chief officer reſident at the neareſt port where ſuch veſſel ſhall arrive. Tea, in ſhips hovering. Caſes of diſtreſs.

X. *ſect.* 29. Provided, that it ſhall be lawful to have ſo much tea, for the uſe of the ſeamen, then belonging to, and on board ſuch ſhip or veſſel, as ſhall not exceed, in quantity, more than one pound of tea for each ſeaman.

Tenures.

I. *Stat.* 14 & 15 *Car.* 2. *cap.* 19. *ſect.* 1. The court of wards and liveries, and all wardſhips, liveries, *premier ſeiſins* and *ouſterlemains*, values and forfeitures of marriages, by reaſon of any tenure of the King or of any other by knights ſervice, and all mean rates, and all other gifts, grants, charges, incident, or ariſing for wardſhips, liveries, *premier ſeiſins* or *ouſterlemains*, ſhall be taken away. Wardſhips and liveries taken away.

(2) And all fines for alienations, ſeizures, and pardons for alienations, tenure by homage, and all charges incident or ariſing for wardſhip, livery, *premier ſeiſin* or *ouſterlemain*, or tenure by knights ſervice, eſcuage, and alſo *aide pour fille marier*, and *pour faire fitz chivalier*, ſhall be taken away. Fines for alienations, &c.

(3) And

Tenures.

Tenures by knights-ſervice, &c.

(3) And all tenures by knights ſervice of the King, or of any other perſon, and by knights ſervice *in capite*, and by ſocage *in capite* of the King, and the fruits thereof, ſhall be taken away.

Free and common ſocage.

(4) And all tenures of any honours, manors, lands, tenements, or hereditaments, held either of the King or of any other perſon, ſhall be turned into free and common ſocage.

Homage, eſcuage, &c.

II. *ſect.* 2. The ſame ſhall for ever be diſcharged of all tenure by homage, eſcuage, voyages royal, and charges for the ſame, wardſhips incident to tenure by knights ſervice, and values and forfeitures of marriage, and all other charges incident to tenure by knights ſervice, and of *aide pour fille marier*, and *aide pour faire fitz chivalier*.

Tenures to be created at common law.

III. *ſect.* 5. All tenures to be created by the King of any eſtate of inheritance at the common law, ſhall be in free and common ſocage only, and not by knights ſervice, or *in capite*, and ſhall be diſcharged of all wardſhip, value and forfeiture of marriage, livery, *premier ſeiſin*, *ouſterlemain*, *aide pour faire fitz chivalier*, and *pour fille marier*.

Rents, heriots, &c. ſaved.

IV. *ſect.* 6. Provided that this act ſhall not take away any rents certain, heriots or ſuits of court incident to any former tenure now taken away, or other ſervices incident to tenure in common ſocage, or the fealty and diſtreſſes incident thereunto. And ſuch relief ſhall be paid in reſpect of ſuch rents, as in caſe of a death of a tenant in common ſocage.

Fines due by cuſtom.

V. *ſect.* 7. Any thing herein ſhall not take away any fines for alienation due by particular cuſtoms of particular manors and places, other than fines for alienations of lands holden immediately of the King *in capite*.

Tenures in *franc almoign*.

VI. *ſect.* 8. This act ſhall not take away tenures in *franc almoign*, or ſubject them to greater ſervices, nor alter any tenure by copy of court-roll, or any ſervices incident thereunto, nor take away the honorary ſervices of grand ſergeantry, other than of wardſhip, marriage, &c.

Titles of honour.

VII. *ſect.* 10. This act ſhall not infringe any title of honour, feodal or other, by which any perſon may have right to ſit in the lords houſe of parliament. *Eng. Stat.* 12 *Car.* 2. *cap.* 24.

Tipperary.

Extinction of regalities.

I. *Stat.* 2 *Geo.* 1. *cap* 8. *ſect.* 1. All the liberties, regalities, franchiſes, courts of law and equity, juriſdictions and authorities, in the letters patent 14 *Car.* 2. or act of parliament 14 & 15 *Car.* 2. granted to James duke of Ormond, are extinguiſhed.

County of Tipperary.

II. *ſect.* 2. Whatſoever has been denominated or called Tipperary or Croſs Tipperary, ſhall be one county under the name of the county of Tipperary.

Removal of records.

III. *ſect.* 4. All fines and recoveries, and all the records, pleas, and proceedings in the ſaid courts, in any civil action, ſhall be removed into the court of common pleas in Dublin, there to be kept on record, together with the docket books and minute and rule books, and all other books and papers relating to the ſaid actions belonging to the ſaid courts.

Execution of judgments.

IV. *ſect.* 5. Where any judgment is already obtained in the ſaid courts of Tipperary, the ſame ſhall affect the lands, &c. of ſuch perſons againſt whom judgment is ſo obtained, in ſuch manner as if the records of ſuch judgment had not been removed, and execution ſhall be had thereon accordingly.

No abatement of ſuits.

V. *ſect.* 6. Where ſuch judgments ſhall remain unſatisfied, it ſhall be lawful for perſons that have obtained ſuch judgment, to take out execution by *capias* or *fieri facias*,

facias, againſt any perſons againſt whom ſuch judgment is ſo obtained in any county within this realm; and no ſuit which was depending in any of the ſaid courts of Tipperary, on the tenth of September laſt, ſhall be abated or diſcontinued by ſuch removal, or by the attainder of the late duke of Ormond; but the ſaid court of common pleas ſhall proceed to hold plea, give judgment and award execution thereon, as if the ſuit had been originally commenced in the ſaid court of common pleas.

VI. *ſect.* 7. All judgments ſo removed, or pleas or proceedings upon which judgment ſhall be obtained, ſhall be reverſable by writ of error, in ſuch manner as other judgments obtained in the court of common pleas. Writs of error.

VII. *ſect.* 8. All bills, anſwers, pleadings, recognizances, depoſitions, decrees of the court of chancery of Tipperary, and all orders, proceſs, affidavits, and proceedings, relating to any ſuits there depending, and all the records of the ſaid court of chancery ſhall be removed into the high court of chancery, there to remain as on record. Records in chancery.

(2) And decrees already obtained in the ſaid court of chancery of Tipperary, if not performed, ſhall be executed by proceſs out of the high court of chancery, as if the ſaid decree had been obtained in the ſame court, and like remedy ſhall be had by rehearing bill of revivor or appeal, as if ſuch decrees had been originally pronounced in the high court of chancery. Proceſs on decrees.

VIII. *ſect.* 9. Recognizances acknowledged in the courts of chancery of Tipperary, and the ſequeſtration proceſs on ſuch decrees heretofore made and removed as aforeſaid, ſhall extend only to lands, &c. in the county of Tipperary or Croſs Tipperary. Extent of proceſs.

IX. *ſect.* 10. All indictments or appeals on which judgment is given, or outlawry is awarded, ſhall be removed into the crown office of the King's bench, there to be proceeded upon as if the ſame had been removed into the court of King's bench by *certiorari*. Indictments and appeals.

Tithes.

I. *Eng. Stat.* 18 *Edw.* 3. *ſt.* 3. *cap.* 7. Writs of *ſcire facias* ſhall not be granted to warn prelates and other clerks to anſwer of tithes in the chancery; ſaving to the King his right. Anſwering in chancery.

II. *Eng. Stat.* 45 *Edw.* 3. *cap.* 3. A prohibition ſhall be granted, and upon the ſame an attachment, in caſe where great wood is ſold of the age of twenty or forty years, or of greater age, and the parſons ſue the merchants that buy the ſame in the court Chriſtian for the tithe of the wood in the name of *ſilva caedua*. Prohibition for great wood.

IV. *Eng. Stat.* 27 *Hen.* 8. *cap.* 20. *ſect.* 1. Every ſubject of this realm, Ireland, and Wales, according to the eccleſiaſtical laws and ordinances of this church of England, and after the laudable uſes and cuſtoms of the pariſh, or other place where he dwelleth or occupieth, ſhall pay his tithes, offerings, and other duties of holy church. Payment of tithes.

(2) And for ſubtractions of any of the ſaid tithes or duties, the parſon, vicar, curate, or other party grieved, may by proceſs of the King's eccleſiaſtical laws of the church of England, convent the perſon offending before his ordinary, or other competent judge having authority to hear and determine the right of tithes, and alſo to compel the perſon offending to yield their ſaid duties. Suits for ſubſtraction.

(3) And in caſe the ordinary or his commiſſary, or the archdeacon or his official, or any other competent judge, for any contempt, contumacy, diſobedience or other miſdemeanor of the defendant, make information and requeſt to any of the King's Attachment for contempts.

moſt

moſt honourable council, or to the juſtices of the peace of the ſhire where ſuch offender dwelleth, to aſſiſt the ordinary or judge to order or reform ſuch perſon in any cauſe before rehearſed; the King's ſaid honourable council, or ſuch two juſtices of peace, whereof one to be of the *quorum*, ſhall have power to cauſe to be attached the perſon againſt whom ſuch information ſhall be made, and to commit the ſame perſon to ward, till he ſhall have found ſurety before the King's councillor or juſtice of peace, to the uſe of the King, to give due obedience to the proceſs, decrees, and ſentences of the eccleſiaſtical court wherein ſuch ſuit ſhall depend.

Recording recognizances.

(4) And the King's ſaid councillors or two juſtices of the peace ſhall have power to take and record recognizances and obligations in any cauſe above written.

Saving for appeals, prohibitions, &c.

V. *ſect.* 3. Provided that every party to any ſuch ſuit may have his lawful action, demand, or proſecution, appeals, prohibitions, and all other lawful defences and remedies in every ſuch ſuit, according to the ſaid eccleſiaſtical laws, and laws and ſtatutes of this realm.

Limitation of continuance.

VI. *ſect.* 4. This act ſhall take effect only, until the King and ſuch other thirty-two perſons which his Highneſs ſhall appoint for the making of ſuch laws as his Highneſs ſhall affirm, to be called the eccleſiaſtical laws of the church of England.

Setting out tithes.

VII. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 12. *ſect.* 1. All perſons of this land ſhall truly ſet out, or pay all tithes and offerings according to the lawful cuſtoms and uſuages of the places where ſuch tithes or duties ſhall grow or be due.

Suit before the ordinary.

(2) And in caſe any perſons of their ungodly and perverſe will withhold any tithes or offerings, the party being eccleſiaſtical or lay, having cauſe to demand or to have the ſaid tithes or offerings, may convent the perſons ſo offending before the ordinary, his commiſſary, or other competent judge of the place where ſuch wrong ſhould be done.

Manner of proceeding.

(3) And the ordinary or other lawful judge having the parties or their lawful procurators before them, ſhall proceed to examination and determination of every ſuch matter ordinarily or ſummarily according to the courſe of the eccleſiaſtical laws, and thereupon may give ſentence accordingly.

Appeal from ſentence.

VIII. *ſect.* 2. In caſe any of the parties do appeal from the ſentence of the ordinary, &c. the judge forthwith upon ſuch appellation made, ſhall adjudge to the other party the reaſonable coſts of his ſuit therein before expended, and ſhall compel the party appellant to pay the coſts by compulſory proceſs and cenſures of the laws eccleſiaſtical, taking ſurety of the other party to whom ſuch coſts ſhall be adjudged and paid, to reſtore the ſame to the party appellant, if after the principal cauſe of that ſuit of appeal ſhall be adjudged againſt the party to whom the ſaid coſts ſhall be yielded, and ſo every ordinary or other judge eccleſiaſtical ſhall adjudge coſts to the other party upon every appeal to be made in any cauſe of ſubſtraction of tithes or offerings, or in any other ſuit concerning the duty of ſuch tithes or offerings.

Coſts to be awarded.

Attachment on refuſal to pay.

IX. *ſect.* 3. If any perſons after ſentence definitive given againſt them, obſtinately refuſe to pay their tithes or duties, or ſuch ſums of money ſo adjudged, wherein they be condemned for the ſame, two juſtices of peace of the ſame ſhire, whereof one to be of the *quorum*, ſhall have authority upon information, certificate or complaint to them made in writing by the eccleſiaſtical judge that gave ſentence, to cauſe the party ſo refuſing to be attached and committed to the next gaol, till they ſhall have found ſufficient ſureties to be bound by recognizance or otherwiſe to the King, to perform the ſentence.

X. *ſect.*

X. *ſect.* 4. No perſons ſhall be ſued or compelled to pay any tithes for any lands, which by the laws of this land are not chargeable with the payment of ſuch tithes. Lands exempted.

XI. *ſect.* 5. Where any perſons which ſhall have any eſtate of inheritance, freehold, term, right, or intereſt in any parſonage or vicarage, portion, penſion, tithes, oblations, or other eccleſiaſtical or ſpiritual profits made temporal, or admitted to be in temporal hands or lay uſes, by the laws of this land ſhall be diſſeiſed, or otherwiſe put from their lawful inheritance, poſſeſſion or intereſt, by any perſon claiming title to the ſame. Remedy for diſſeiſin.

(2) The perſons ſo diſſeiſed, or wrongfully put from their right or poſſeſſion, their heirs, wives, or ſuch other to whom ſuch injury ſhall be done, ſhall have their remedy in the King's temporal courts, or in other courts as the caſe ſhall require, for the recovery of ſuch inheritance or intereſt, by writs of *Præcipe quod reddat*, *aſſiſe de novel diſſeiſin*, *mortdaunceſtor*, *quod ei deforceat*, writs of dower or other writs original, as the caſe ſhall require, to be granted in the chancery, in like manner as they might have for lands, and writs of covenant and other writs for fines to be levied, and other aſſurances of any parſonage, vicarage, portion, penſion, or other profit, called eccleſiaſtical or ſpiritual, ſhall be granted in the chancery as hath been uſed for lands. Remedy in the temporal courts.

(3) And all judgments to be given upon any of the ſaid writs original, or for any the premiſſes, and all fines to be levied in any of the King's courts thereof, ſhall be of like effect as judgments given and fines levied of lands; albeit no ſuch form of writs original out of the ſaid court of chancery have heretofore been awarded. Judgment valid.

XII. *ſect.* 6. Provided that this act ſhall not extend to give any remedy, cauſe of action or ſuit in the courts temporal againſt any perſons which ſhall refuſe to ſet out their tithes, or which ſhall withhold or refuſe to pay his tithes or offerings, but in all ſuch caſes the party being eccleſiaſtical or lay perſon, having cauſe to demand or to have the ſaid tithes or offerings, ſhall have their remedy in the ſpiritual courts, according to the ordinance in the firſt part of this act mentioned, and not otherwiſe. *Eng. Stat.* 32 *Hen.* 8. *cap.* 7. Suits for refuſing to ſet out tithes.

XIII. *Stat.* 1 *Geo.* 2. *cap.* 12. *ſect.* 1. All tithes where the ſame do not amount to above the yearly value of forty ſhillings from any one perſon, and all the compoſitions and agreements for the ſame, with all offerings and other eccleſiaſtical dues of like value, ſhall be truly ſet out and paid to the ſeveral rectors, vicars, and other perſons to whom they ſhall be payable in their ſeveral pariſhes, according to the rates, cuſtoms, and preſcriptions commonly uſed within the ſaid pariſhes reſpectively. Tithes under 40 s.

XIV. *ſect.* 2. If any perſon ſhall ſubtract or fail in the payment of ſuch tithes, offerings, eccleſiaſtical dues or compoſitions, twenty days after demand thereof, it ſhall be lawful for the perſons to whom the ſame ſhall be due, to make their complaint in writing unto two juſtices of the peace where the ſame ſhall grow due. Complaints to two juſtices.

XV. *ſect.* 3. Where ſuch complaint ſhall be brought, the ſaid juſtices are required to ſummon in writing under their hands and ſeals, by giving four days notice at the leaſt, to ſuch perſons againſt whom any complaint ſhall be made as aforeſaid, and after their appearance, or upon default, the ſummons being proved before them upon oath, the ſaid juſtices ſhall proceed to determine the ſaid complaint. Summons to the parties.

(2) And upon the proof produced before them, ſhall in writing under their hands and ſeals adjudge the caſe, and give ſuch compenſation for ſuch tithes, offerings, Judgment with coſts.

eccleſiaſtical dues or compoſitions ſo ſubtracted or withheld as they ſhall judge to be reaſonable, and coſts not exceeding ten ſhillings.

Eſtate in lands. XVI *ſect.* 4. No juſtice ſhall have authority to determine any of the matters aforeſaid, who ſhall not have eſtate of freehold within this kingdom of the yearly value of one hundred pounds, except the juſtices of the peace in counties of cities or towns, who may proceed in the execution of this ſtatute as aforeſaid, within their reſpective juriſdictions, notwithſtanding ſuch juſtices ſhall not have ſuch eſtate of freehold.

Reſidence in the county. XVII. *ſect.* 5. No juſtice of the peace ſhall be qualified to determine any of the matters aforeſaid, who ſhall not be reſident in the county, county of a city or town where the tithes, &c. in queſtion ſhall ariſe, or who ſhall be patron of the church or chapel in right of which the ſaid tithes, &c. ſhall be demanded, or who ſhall be any ways intereſted in ſuch tithes, &c. or who ſhall be a clergyman in holy orders.

Refuſal of payment, XVIII. *ſect.* 6. If any perſon ſhall refuſe or neglect by the ſpace of ten days after notice given to pay ſuch ſum of money, as upon ſuch complaint and proceeding ſhall by two juſtices be adjudged as aforeſaid, the conſtables and church-warders of the ſaid pariſh, or one of them, ſhall by warrant under the hands and ſeals of the ſaid juſtices, diſtrain the goods of the party, and after detaining them three days, in caſe the ſum adjudged with reaſonable charges for making and detaining the diſtreſs, be not tendered or paid by the party in the mean time, ſhall make public ſale of the ſame, and pay to the party complaining ſo much of the money ariſing by ſuch ſale, as may ſatisfy the ſum ſo adjudged, retaining to themſelves ſuch reaſonable charges for making and keeping the ſaid diſtreſs, as the ſaid juſtices ſhall think fit, and ſhall render the overplus, if any, to the owner.

Oaths to witneſſes. XIX. *ſect.* 7. It ſhall be lawful for all juſtices of the peace in the examination of matters whereof juriſdiction is given to them by this act, to adminiſter oaths to any witneſſes where the ſame ſhall be neceſſary for their information, and for the better diſcovery of the truth.

Comp'aint in two years. XX. *ſect.* 8. No complaint concerning any ſuch tithes, offerings, or other eccleſiaſtical dues or compoſitions, ſhall be determined by any juſtices by virtue of this act, unleſs the complaint ſhall be made within two years after the ſame become due.

Appeal to the ſeſſions. XXI. *ſect* 9. Any perſons aggrieved by any judgment to be given by two juſtices may appeal to the next quarter-ſeſſions to be held for that county, county of a city or town, and the juſtices there preſent, or the major part of them, ſhall proceed finally to determine the matter, and to reverſe the judgment if they ſhall ſee cauſe.

Coſts to the party. (2) And if the juſtices then preſent, or the major part of them, ſhall find cauſe to confirm the judgment given by the two firſt juſtices, they ſhall decree the ſame by order of ſeſſions, and ſhall alſo give ſuch coſts againſt the appellant, to be levied by diſtreſs and ſale of goods, &c. as to them ſhall ſeem reaſonable.

No *certiorari*, &c. (3) And no proceedings or judgment to be had by virtue of this act ſhall be removed or ſuperſeded by any *certiorari* or other writ, unleſs the title of ſuch tithes or other eccleſiaſtical dues ſhall be in queſtion.

Plea in writing. XXII. *ſect.* 10. Where any perſons complained of for ſubtracting or withholding any ſuch tithes or other dues, ſhall before the juſtices to whom ſuch complaint is made, inſiſt upon any preſcription, compoſition or *modus decimandi*, agreement or title, whereby they ought to be freed from payment of the ſaid tithes, or other dues in queſtion, and deliver the ſame in writing to the juſtices ſubſcribed by them,

them, and ſhall then give to the party complaining ſufficient ſecurity to the ſatisfaction of the juſtices, to pay all ſuch coſts and damages, as upon a trial at law in any of his Majeſty's courts having cognizance of that matter, ſhall be given againſt them in caſe the ſaid preſcription, compoſition, or *modus decimandi*, ſhall not upon the trial be allowed, the ſaid juſtices ſhall forbear to give any judgment in the matter, and the perſons complaining ſhall be at liberty to proſecute ſuch perſons for the ſaid ſubtraction in any other court where they might have ſued before the making of this act.

Enrolment of judgments.

XXIII. *ſect.* 11. Every perſon who ſhall by virtue of this act obtain any judgment, or againſt whom any judgment ſhall be obtained before juſtices of the peace out of ſeſſions, for ſuch tithes or other eccleſiaſtical dues or compoſitions, may cauſe the ſaid judgment to be inrolled at the next quarter-ſeſſions to be holden for the ſaid county, county of a city or town, and the clerk of the peace is required upon tender thereof to inrol the ſame, and he ſhall not aſk or receive for the inrolment of any one judgment any fee exceeding one ſhilling.

Judgment a good bar.

(2) And the judgment ſo inrolled, and ſatisfaction made by paying the ſum ſo adjudged, ſhall be a good bar to conclude the ſaid rectors, vicars, and other perſons from any other remedy for the ſaid tithes or other eccleſiaſtical dues or compoſitions, for which the ſaid judgment was obtained.

Removing out of the county.

XXIV. *ſect.* 12. If any perſon againſt whom any ſuch judgment ſhall be had, ſhall remove out of the county after judgment had, and before the levying the ſums thereby adjudged, the juſtices who made the ſaid judgment, or one of them, ſhall certify the ſame under their hands and ſeals, to any juſtice of the peace of ſuch other county, or place wherein the ſaid perſons ſhall be inhabitants, which juſtice is required by warrant to be directed to the conſtables or church-wardens of the place, or one of them, to levy the ſums ſo adjudged upon the goods of ſuch perſons as the other juſtices might have done if they had not removed.

Coſts againſt complainants.

XXV. *ſect.* 14. The juſtices who ſhall determine any matters aforeſaid, ſhall have power to give coſts, not exceeding ten ſhillings to the party proſecuted, if they ſhall find the complaint to be falſe and vexatious, which coſts ſhall be levied in manner aforeſaid.

XXVI. *ſect.* 15. If any perſon ſhall be ſued for any thing done in execution of this act, and the plaintiff in ſuch ſuit ſhall diſcontinue his action, or be non-ſuit, or a verdict paſs againſt him, ſuch perſons ſhall recover double coſts.

Suing in other courts.

XXVII. *ſect.* 16. Any clerk or other perſon who ſhall begin any ſuit for recovery of ſuch tithes or other eccleſiaſtical dues, not exceeding the value of forty ſhillings, in his Majeſty's court of exchequer, or in any the eccleſiaſtical courts, ſhall have no benefit by this act for the ſame matter for which they have ſo ſued. *Eng. Stat.* 7 & 8 *Will.* 3. *cap.* 6.

The act, 1 *Geo.* 2. *cap.* 12. (ſo far as it relates to the recovery of tithes, &c. of ſmall value) *is continued for eleven years, &c. from the 25th day of March*, 1764, *by Stat.* 3 *Geo.* 3. *cap.* 16. *ſect.* 2.

Value of diſtreſſes.

XXVIII. *Stat.* 5 *Geo.* 2. *cap.* 6. *ſect* 4. Such diſtreſs as ſhall be taken by virtue of the act 1 *Geo.* 2. *cap.* 12. ſhall be of ſuch goods of the party as ſhall be neareſt to the value of the ſum awarded by the judgment, and can conveniently be found or taken at the time of taking ſuch diſtreſs; and if ſale thereof ſhall be made, it ſhall be upon the oath of ſworn appraiſers to be nominated by the juſtices.

No ſuit in other courts.

XXIX. *ſect.* 5. No perſon who ſhall make ſuch complaint, and ſhall have had a hearing, and judgment ſhall have been given thereon, as by the ſaid act is directed, ſhall for the ſame matter for which they have ſo complained, commence any ſuit in his Majeſty's court of exchequer, or in any eccleſiaſtical court.

Dues not exceeding five ſhillings.

XXX. *ſect.* 6. Where the value of the tithes or other eccleſiaſtical dues demanded by any perſon, does not exceed five ſhillings, one juſtice of the peace qualified as the ſaid act directs, ſhall have power to determine all controverſies concerning the ſame, in ſuch manner as two juſtices may determine ſuch controverſies by the ſaid act.

The act, 5 *Geo.* 2. *cap.* 6. (ſo far as it relates to the recovery of tithes, &c. of ſmall value) *is continued for eleven years, &c. from the* 25*th day of March*, 1764, *by Stat.* 3 *Geo.* 3. *cap.* 16. *ſect.* 2.

Exemption for barren ground.

XXXI. *Stat.* 5 *Geo.* 2. *cap.* 9. *ſect.* 6. All barren heath and moory ground, mountain, bog, moſs and land taken and incloſed from the ſea, or any lough, or river, which by means of drains, banks, walls, or dikes, ſhall be improved and converted into arable or meadow land, ſhall be exempt and diſcharged from payment of tithes for any hemp, flax or rape growing thereon, during the term of ſeven years next after the time of improving and taking in thereof.

Proviſion.

XXXII. *ſect.* 7. Provided that no land ſhall be diſcharged from the ſaid tithes within the meaning of this act, which at any time before ſuch improving or taking in, ever paid tithes for any corn, hay, hemp, flax, rape or potatoes.

Tithes paid within ſeven years.

XXXIII. *ſect.* 8. Provided alſo, that no land ſhall, within the meaning of this act, be diſcharged from paying for tithe thereof, ſuch ſums as the ſaid land paid for any one of the preceding ſeven years.

Contracts void.

XXXIV. *Stat.* 29 *Geo.* 2. *cap.* 12. *ſect.* 1. All bonds, contracts, covenants or agreements made, or to be made or entered into, by or between any pariſhioners for the purpoſe of hindering or obſtructing any rector, vicar, lay-impropriator, or tithe-farmer in drawing any tithes, or in ſetting or ſelling any tithes to the beſt advantage, are hereby declared to be illegal, null, and void.

Penalty on perſons contracting, &c.

XXXV. *ſect.* 2. If any perſon ſhall make or enter into any ſuch bond, covenant, contract, or agreement as aforeſaid, or ſhall knowingly write, or ſend, or cauſe or procure to be written or ſent, any letter without a name ſubſcribed thereto, or ſigned with a fictitious name; or knowingly ſhall publiſh, or cauſe to be publiſhed, or ſhall ſet up, or cauſe to be ſet up, in any place, any written or printed advertiſement or paper, thereby threatening any violence, injury, or damage to the perſon, or to the eſtate or property of any rector, vicar, lay-impropriator or tithe-farmer, or of any tenant or pariſhioner, with an intention to terrify any rector, vicar, lay-impropriator, or tithe-farmer, from taking any tithe in kind, or from ſetting or ſelling any tithe to the beſt advantage, or with an intention to terrify any perſons from aſſiſting ſuch rector, vicar, lay-impropriator, or tithe-farmer, in drawing, ſetting, or ſelling any tithe; with an intention to procure or encourage any unlawful combination of pariſhioners, to hinder or obſtruct any rector, vicar, lay-impropriator, or tithe-farmer, in drawing any tithes, or in ſetting or ſelling any tithes to the beſt advantage: or if any perſons ſhall wilfully or maliciouſly deſtroy, or make unfit for uſe, any carriage, cart, truckle, or car, or the harneſs, traces, or other tackle belonging thereto, deſigned or intended to be employed in drawing or carrying any tithes; every perſon ſo offending, being lawfully convicted upon the oath of one credible witneſs, before any two juſtices of the peace for the county, city, town, or place where ſuch offence ſhall be committed, upon any information or proſecution exhibited or commenced within three calendar months after the offence committed (which oaths the ſaid juſtices are hereby impowered and required to adminiſter) ſhall forfeit five pounds *ſterl.* one half thereof to be given to the informer, and the other half to the poor of the pariſh in which ſuch offence ſhall be committed.

(2) Which ſaid ſum of five pounds, the ſaid juſtices are required to levy by iſſuing their warrants under their hands and ſeals, for diſtreſs and ſale of the offenders goods and chattles, returning the overplus to the owner; and for want of ſufficient diſtreſs, ſuch offender ſhall by the order of ſuch juſtices, at their diſcretion, be committed either to the houſe of correction, there to remain and be kept at hard labour, or to the common gaol of ſuch county, &c. there to remain without bail or mainprize, for any time not exceeding three calendar months. Diſtreſs of goods.

This act is made perpetual, by Stat. 1 Geo. 3. cap. 17. ſect. 2.

XXXVI. *Stat. 3 Geo. 2. cap. 16. ſect. 2.* An act paſſed in the firſt year of the reign of his late Majeſty King George the ſecond, *for the more eaſy recovery of tithes, and other eccleſiaſtical dues of ſmall value*, which ſaid act was continued by an act made in the fifth year of his late Majeſty, and was further continued by another act made in the ſeventh year of his late Majeſty, the ſaid acts, made in the firſt, fifth, and ſeventh years of his late Majeſty, and all the clauſes, articles, and proviſoes therein contained, ſo far as they relate to the recovery of tithes, and other eccleſiaſtical dues of ſmall value, ſhall be continued for the term of eleven years from the twenty fifth day of March, 1764, and to the end of the then next ſeſſion of parliament. The act, 1 Geo. 2. The act, 5 Geo. 2. The act, 7 Geo. 2. Continued for 11 years, &c.

XXXVII. *Stat. 3 Geo. 3. cap. 25. ſect. 1. Whereas by an act of parliament made in this kingdom, in the thirty third year of the reign of King Henry the eighth, intituled,* An act for tithes, *it is amongſt other things enacted,* "*That all and ſingular perſons of this land, of what eſtate, degree or condition ſoever they be, ſhall fully, truly, and effectually divide, ſet out, yield or pay all and ſingular tithes and offerings, according to the lawful cuſtoms and uſuages of the paroches and places where ſuch tithes or duties ſhall grow, ariſe, and become due:*" *and whereas the good intentions of the ſaid act have been in a great meaſure defeated by the frauds of the perſons who ought to pay ſuch tithes, in not giving reaſonable notice to the perſons intitled to receive the ſame, and other contrivances when notice has been given, and the perſons attending to receive ſuch tithes purſuant thereto:* every owner of corn, hay, or peaſe, or beans (except peaſe or beans which grow in gardens) ſhall, before he ſhall remove the ſaid corn, hay, or peaſe, or beans, give notice in writing to the perſons intitled to receive ſuch tithes, or his known proctor or manager, of the time of ſetting out ſuch tithes, forty eight hours at leaſt before ſuch intended time of ſetting out the ſame, which notice ſhall be delivered to the perſon ſo intitled to receive ſuch tithes, or his known proctor or manager, or in caſe neither of them can be found at his houſe or uſual place of abode within the ſaid pariſh, ſuch notice ſhall be given to ſome perſon living in ſuch houſe, who is above the age of ſixteen years, and all perſons who give ſuch notice, ſhall without fraud, covin, or wilful delay, truly and effectually divide, ſet out, and deliver ſuch tithes to the perſons intitled to receive the ſame, who ſhall attend for that purpoſe purſuant to ſuch notice, and it ſhall be lawful for the perſons receiving ſuch tithes, to make the ſame in ſtocks, or otherwiſe, on the field where the ſame grew, where the ſame may remain and be preſerved ſo long as the reſt, or any part of the reſt, of the corn, hay, or other things ſhall remain on the ſaid field undrawn by the owner. Recital of the act, 33 Hen. 8. Tithes and offerings, Reaſonable notice, Owners of corn, hay, &c. Notice in writing, Time of ſetting out, Service of notice, Tithes ſet out without fraud, &c. Tithes made upon the field, &c.

XXXVIII. *ſect. 2.* Provided, that if the perſon intitled to receive the ſaid tithes, or his known manager or proctor, have no place of reſidence in the ſaid pariſh, or if many pariſhes be united by virtue of any union in one of the ſaid united pariſhes, that then and in ſuch caſe it ſhall be ſufficient to give the ſaid notice of the time of ſetting out the tithes, by affixing the ſame on the door of the pariſh church forty eight hours before the time of ſetting out the ſaid tithes. No reſidence in the pariſh, Notice on the church door.

XXXIX. *ſect.*

Proving induction, &c.

XXXIX. *ſect.* 3. *Whereas the clergy in ſuits for ſubtraction of predial tithes are unneceſſarily put to great trouble and expence, in producing witneſſes to prove their induction and other qualifications, in caſes where there is no diſpute who the incumbent is: for the prevention of ſuch delays and expences,* it ſhall be ſufficient for every eccleſiaſtical perſon, or lay impropriator in any ſuit for the ſubtraction of predial tithes, to prove that ſuch perſon was, and is reputed to be an incumbent or impropriator of ſuch pariſh, and had acted as ſuch at or before the time the right of the tithes ſued for accrued, without producing or proving any other title, except the title of the perſon promoting ſuch ſuit ſhall be controverted, and it ſhall be pleaded by the party ſo ſued in ſuch cauſes, that the perſon proſecuting ſuch ſuit is not the true and legal incumbent or impropriator.

Reputation ſufficient,

Acting as incumbent,

Except title controverted.

Subtraction of tithes,

XL. *ſec.* 4. *Whereas by the preſent method of proceeding in the eccleſiaſtical courts in ſuits for ſubtraction of predial tithes, the parties cited in ſuch cauſes are put often to great expences in excommunicating them for contempt in not appearing, and the perſons promoting ſuch ſuits are delayed in the proſecution thereof;* for the future in all caſes of ſubtraction of predial tithes, where the perſons cited ſhall not appear purſuant to the firſt citation, the judge of the court ſhall upon the return of ſuch citation, and due proof made of the ſervice thereof upon oath in writing on the back of, or annexed to ſuch citation, decree one other proceſs or citation to iſſue againſt ſuch perſon reciting ſuch former citation, and intimating that whether he ſhall appear or contumaciouſly abſent himſelf, that he the ſaid judge will nevertheleſs proceed to hear and determine ſuch cauſe, the abſence or contumacy of ſuch perſon notwithſtanding; and it ſhall be lawful for ſuch judge to proceed to hear and determine ſuch cauſes, in thirty days after due proof made before him on oath of the due ſervice of ſuch ſecond proceſs or citation as before mentioned, in ſuch manner, as if the perſon ſo cited had been excommunicated for ſuch his contempt in not appearing.

Perſons cited not appearing,

Proof of ſervice,

Second proceſs with intimation,

Hear and determine in 30 days.

Appearance in the regiſtry, 30 days after the day appointed.

XLI. *ſect.* 5. Provided, that the parties ſo cited entering an appearance either by himſelf or his proctor, in the regiſtry of the court into which he is cited, any time before the court day next following the day appointed for his appearance in ſuch citation, or thirty days after ſuch court day, ſhall be deemed and taken to be a ſufficient appearance for the ſaid party, and for the judge of the ſaid court to proceed on ſuch cauſe.

Cauſes for tithes or offerings,

XLII. *ſect.* 6. *Whereas it is by the ſaid act made in this kingdom, in the thirty third year of the reign of Henry the eighth, further enacted,* "*That in every cauſe or matter for detaining tithes or offerings, the judge having their parties or their lawful procurators before him, ſhall and may proceed to the examination, hearing and determining of every ſuch cauſe or matter ordinarily or ſummarily according to the courſe of the King's eccleſiaſtical laws:*" *and whereas notwithſtanding the ſaid law, ſuits for predial tithes are carried on in the eccleſiaſtical court, in a plenary manner, to the great trouble and expence of the perſon ſo ſued, and often for very ſmall ſums of money:* the eccleſiaſtical judge in all cauſes for ſubtraction of predial tithes, when the right to them is not controverted, ſhall after a libel is given in and iſſue joined, or in pain of the contempt of the party cited, in caſe of his non-appearance after the ſervice of ſuch citations as are herein before mentioned, and due proof made thereof, at the petition of either of the parties, proceed to hear and determine ſuch cauſes and matters in a ſummary manner by examination of witneſſes, *viva voce*, and ſuch other legal proofs as ſhall be offered to him, and proceed thereupon to give final ſentence in the ſame.

Proceed ordinarily or ſummarily,

Subtraction of predial tithes,

Hear and determine in a ſummary manner.

XLIII. *ſect.* 7. *Whereas it is by the ſaid in part recited act further enacted,* "*That if any ſuch perſon or perſons, after ſentence definitive given againſt them, obſtinately and wilfully refuſe to pay their tithes or duties, or ſuch ſums of money ſo adjudged,*

wherein

wherein they be condemned for the ſame, that then two juſtices of the peace for the ſame ſhire, whereof one to be of the quorum, ſhall have authority by this act, upon information, certificate or complaint to them made in writing, by the ſaid eccleſiaſtical judge that gave the ſaid ſentence, to cauſe the party ſo refuſing to be attached and committed to the next gaol, and there to remain without bail or mainprize, 'till he or they ſhall have found ſufficient ſecurities to be bound by recognizance, or otherwiſe, to the King, to perform the ſame definitive ſentence, or judgment: and whereas the ſtrict execution of the ſaid clauſe would be very inconvenient to the juſtices of the peace, who muſt meet to grant ſuch warrants, and alſo to the perſons who are to be ſo attached: for the future no ſuch attachment or committal ſhall be made by ſuch juſtices of the peace, but where any perſons are condemned in any ſums of money for predial tithes or coſts of ſuit in any ſuch cauſe, and the party ſo condemned ſhall refuſe or neglect, after ſervice of a monition for that purpoſe from the court where ſuch ſentence ſhall be given, and proof made upon oath of the due ſervice thereof by the ſpace of fifteen days after ſuch ſervice, to ſatisfy and pay to the party obtaining ſuch ſentence, ſuch ſums as ſhall be ſo decreed, it ſhall be lawful for the perſons ſo obtaining ſuch ſentences, to ſue for the money ſo decreed by civil bill, before the next going judges of aſſize for the county where the party againſt whom ſuch ſentence was pronounced ſhall reſide, or in any other court, where civil bills are or ſhall be allowed to be brought, in ſuch manner as ſuits by civil bills are now allowed to be brought, ſo as the ſame do not exceed the ſum of twenty pounds, and a true copy of ſuch monition under the ſeal of the court from whence the ſame iſſued, and proof upon oath of the due ſervice thereof, fifteen days at leaſt before the time of hearing ſuch civil bill, ſhall be judged ſufficient and concluſive evidence of the ſum due, and the party obtaining a decree in ſuch ſuit ſhall be intitled to ſuch execution and proceſs, with the uſual coſts of civil bills.

Juſtices of the peace,

Party to be attached and committed,

No attachment for the future.

Neglect after monition.

Civil-bill for money decreed.

Copy of monition, &c.

Sufficient evidence, &c.

XLIV. *ſect.* 8. Provided, that all perſons ſhall be intitled to appeal from ſuch ſentences in ſuch eccleſiaſtical courts upon ſuch terms, and in ſuch manner, as they might heretofore have done ſince the making of the ſaid act, in the thirty third year of the reign of Henry the eighth.

Appeal from ſentences, Upon terms as heretofore.

The terms preſcribed by Stat. 33 Hen. 8. cap. 12. To the appellants in tithe-cauſes, are as follow, In caſe any of the parties do appeal from the ſentence of the ordinary, &c. the judge forthwith upon ſuch appellation made, ſhall adjudge to the other party the reaſonable coſts of his ſuit therein before expended, and ſhall compel the party appellant to pay the coſts by compulſory proceſs, and cenſures of the laws eccleſiaſtical, taking ſurety of the other party to whom ſuch coſts ſhall be adjudged and paid, to reſtore the ſame to the party appellant, if after the principal cauſe of that ſuit of appeal ſhall be adjudged againſt the party to whom the ſaid coſt ſhall be yielded, and ſo every ordinary or other judge eccleſiaſtical ſhall adjudge coſts to the other party upon every appeal to be made in any cauſe of ſubtraction of tithes or offerings, or in any other ſuit concerning the duty of ſuch tithes or offerings.

Note.

XLV. *ſect.* 9. Provided alſo, that if it ſhall appear to ſuch judge of aſſize, that the matter is of eccleſiaſtical cognizance, that it ſhall be lawful for any defendant ſued by civil bill under this act, to give in evidence any matter or thing ſubſequent to the ſentence in the eccleſiaſtical court, which may be ſufficient either in law or equity to diſcharge him of the whole or any part of the ſums decreed againſt him by the ſaid ſentence.

Eccleſiaſtical cognizance,

Diſcharge in law or equity.

XLVI. *ſect.* 10. Provided alſo, that the ſaid court ſhall be a court of equity to the defendant, ſo as to enable the defendant to examine the plaintiff, or his known proctor.

Court of equity to defendant,

Notice of attendance. proctor or manager, upon oath, upon giving reaſonable notice to the plaintiff, or ſuch proctor, that his attendance is expected at the hearing of ſuch civil bill.

No new right to tithes. XLVII. *ſect.* 11. Provided alſo, that nothing herein contained ſhall extend, or be conſtrued to extend, to give or confirm a right in the incumbent to any ſpecies of tithes to which he is not already intitled by law or equity.

This act ſhall continue in force for two years from the 24th day of June 1764, and to the end of the then next ſeſſion of parliament.

Tobacco.

Planting tobacco. I. *Eng. Stat.* 12 *Car.* 2. *cap.* 34. *ſect.* 1. No perſon ſhall ſet, plant, improve to grow, make or cure any tobacco, either in ſeed, plant, or otherwiſe, within England, Wales, Guernſey or Jerſey, or Berwick, or in Ireland, under the penalty of forfeiture of ſuch tobacco, or the value thereof, or of 40s. for every pole of ground ſo planted, &c. one moiety to his Majeſty, and the other moiety to him that ſhall ſue for the ſame in any court of record.

To be burnt or deſtroyed. II. *ſect.* 2. All ſheriffs, juſtices of peace, mayors, bailiffs and conſtables, upon information made that there is any tobacco ſet or growing within their precincts, ſhall within ten days cauſe to be burnt, plucked up or deſtroyed, all ſuch tobacco.

Reſiſting execution. III. *ſect.* 3. In caſe any ſhall reſiſt any perſons in the execution of this act, ſuch perſon ſhall forfeit 5l. in manner aforeſaid. And in caſe any perſon ſhall not pay the money, diſtreſs ſhall be made and ſale, and in caſe no diſtreſs be found, ſuch party ſhall be committed to the common gaol in the county for two months.

Phyſick gardens. IV. *ſect.* 4. This act ſhall not extend to the hindering of the planting of tobacco in any phyſic garden of either univerſity, or in any other private garden for phyſic or chirurgery, ſo as the quantity exceed not half of one pole in any one place.

Penalty for planting. V. *Eng. Stat.* 15 *Car.* 2. *cap.* 7. *ſect.* 18. Every perſon that ſhall ſet, plant or ſow, any tobacco within England, Wales, Guernſey and Jerſey, Berwick or Ireland, ſhall, over and above the penalty of the ſaid former act, forfeit 10l. for every pole of ground that he ſhall ſo plant, ſet or ſow, one third part to the King, one other third to the uſe of the poor of ſuch pariſh, and the other third part to them that ſhall ſue for the ſame in any of his Majeſty's courts at Weſtminſter.

Committal for reſiſtance. VI. *ſect.* 19. In caſe any ſhall reſiſt any perſons in the execution of the ſaid act 12 Car. 2. cap. 34. they ſhall, over and above the penalties therein mentioned, be committed to the common gaol of the county, until they have entered into recognizance to his Majeſty with two ſureties of ten pounds not to commit the like offence again.

Phyſick gardens. VII. *ſect.* 20. This act ſhall not extend to the hindrance of planting tobacco in any phyſic-garden of either of the univerſities, or any other private garden for chirurgery, ſo as the quantity exceed not the half of one pole in any one place.

Duties. VIII. *Stat.* 7 *Will.* 3. *cap.* 16. *ſect.* 3. No more than two pence half-penny for every pound weight of tobacco imported into this kingdom is payable unto his Majeſty by virtue of any law whatſoever in force in this Kingdom at the time of the paſſing of this act.

Debentures. IX. *Brit. Stat.* 8 *Ann. cap.* 13. *ſect.* 18. No debenture ſhall be allowed for tobacco exported from Great Britain to Ireland, until a certificate be produced under the hands and ſeals of the collector, controller and ſurveyor of the cuſtoms, of any port in Ireland, or two of them, where ſuch goods ſhall be landed, teſtifying the landing thereof, the danger of the ſeas or enemies excepted, which certificate the collector,

collector, &c. in Ireland are required to deliver upon the diſcharge of ſuch tobacco, and not to take above 1 s. for making out and delivery of ſuch certificate.

X. *ſect.* 20. No debenture ſhall be made forth, nor any drawback allowed, for tobacco exported in any ſhip under the burden of 20 tons. Ships under 20 tons.

XI. *Brit. Stat.* 6 *Geo.* 1. *cap.* 21. *ſect.* 48. On producing a certificate under the hands and ſeals of the collector, controller and ſurveyor, of the cuſtoms of any port in Ireland, or two of them, where tobacco ſhall be landed, teſtifying the landing thereof, in caſe there ſhall appear to be any difference in weight between the quantity ſpecified in ſuch certificate, and the quantity ſhipt for exportation, ſo that the quantity landed ſhall be leſs than the quantity entered, an allowance ſhall be made to the exporter on the duties to be drawn back, in conſideration of the waſte in the voyage, ſo as ſuch allowance do not exceed two *per cent.* Allowance for waſte.

XII. *ſect.* 49. If any tobacco entered out for foreign parts and exported, ſhall afterwards be landed in Ireland, the ſame and double the drawback ſhall be forfeited; and every debenture for the drawback ſhall become void as if the tobacco were relanded in Great Britain. Which forfeitures may be recovered in any the courts of record at Weſtminſter or Dublin, or in the exchequer in Scotland; one moiety to the King, the other to the proſecutor. Re-landing after entry.

XIII. *ſect.* 50. The exporters of tobacco for foreign part being now only obliged to ſwear that the tobacco is not landed or intended to be relanded in Great Britain, Ireland ſhall be added in the oath, except for ſuch tobacco as ſhall be regularly ſhipt for Ireland, without which the officers of the cuſtoms ſhall not ſuffer the debenture to paſs. Oath of exporters.

XIV. *Stat.* 33 *Geo.* 2. *cap.* 10. *ſect.* 19. No tobacco made up *(in ſmall truſſes, bundles, bags, or cakes)* ſhall be imported into this kingdom, or in any other manner than in hogſheads, caſks, or veſſels, or other package, not containing leſs than four hundred and twenty five pounds weight, upon pain of forfeiting the ſaid tobacco, or the value thereof. Small truſſes.

XV. *ſect.* 20. All merchantable tobacco which ſhall be ſeized and condemned purſuant to any of the laws now in force relative to his Majeſty's revenue, ſhall, within ten days after ſuch condemnation (if there be no appeal) and in caſe of any appeal within ten days after the ſentence of condemnation ſhall be affirmed, or the appeal diſmiſſed, be publickly ſold by cant to the beſt bidder, by the collector or other chief officer of the place where ſuch tobacco ſhall be condemned. Sale of ſeizures.

(2) And public notice ſhall be given by ſuch collector or other chief officer, of the time and place of ſuch ſale, four days at the leaſt before ſuch ſale, and the purchaſer on ſuch ſale ſhall pay the duties payable to his Majeſty upon ſuch tobacco. Notice of ſale.

(3) And the ſeizing officers ſhall receive from the collector, or head officer of the diſtrict, out of the revenue, for every pound of tobacco which ſhall be ſo ſeized and condemned, four pence, in caſe the ſaid tobacco ſhall, upon ſuch ſale, ſell for eight pence per pound, or more, including the duty thereof; but in caſe the ſaid tobacco ſhall not ſell upon ſuch ſale for eight pence per pound, or more, including the duty thereof, then three pence *per* pound, and no more, ſhall be paid to ſuch ſeizing officer. Reward to officers.

(4) And in caſe ſuch collector or other chief officer ſhall neglect to do his duty therein, he ſhall forfeit for every ſuch offence, twenty pounds, to be recovered by civil bill, before the juſtices of aſſize of the county or place within which ſuch port or diſtrict lies, and in the county of Dublin, before ſuch judge, or ſuch of his Majeſty's council as ſhall attend at the quarter ſeſſions to be held for the ſaid county; and in the county of the city of Dublin, before the recorder, in a ſum- Neglect of duty.

mary way, by civil bill, by any perſon who ſhall ſue for the ſame; provided ſuch ſuit be commenced within eight months after ſuch neglect, and not otherwiſe.

Importing from the iſle of Man.

XVI. *ſect.* 21. If any tobacco ſhall be imported or brought into Ireland, or into any port, harbour, or creek thereof, from the iſle of Man, or ſhall be found in any ſhip, veſſel or boat from the iſle of Man, every ſuch ſhip, veſſel or boat, with all her tackle, furniture and apparel, or the value thereof, and alſo ſuch tobacco, ſhall be forfeited, and may be ſeized by any officers of the revenue; and in caſe ſuch veſſel or goods cannot be ſeized, the maſter or other perſon having charge of the veſſel in which ſuch goods ſhall be imported, ſhall forfeit the value thereof; one moiety of which forfeiture ſhall be for the uſe of his Majeſty, and the other moiety to them who ſhall inform or ſue for the ſame, and ſhall be recovered in ſuch manner as is herein after mentioned.

Entering into houſes, ſhops, &c.

XVII. *ſect.* 38. It ſhall be lawful for any officer of his Majeſty's revenue, to enter in the day time into the ſhop, houſe, out-houſe, room, or ware-houſe of any ſhop-keeper, or other perſon that ſhall vend or ſell tobacco by retail, and take an account from time to time, of all ſuch tobacco as ſhall be found in their poſſeſſion, ſhop, houſe, out-houſe, or ware-houſe, and to make a juſt return thereof, ſigned under their hand, in ſuch manner as accounts are directed to be taken, and returns made of beer, ale, aqua vitæ, or ſtrong waters, belonging to any common brewer, vintner, diſtiller, inn-keeper, or alehouſe keeper, by an act 14 *Car.* 2. *cap.* 8. *for the ſettling of the exciſe*, no perſon ſhall be deemed a retailer within this act, but ſuch as ſell tobacco in quantities under four hundred and twenty five pounds weight.

Hindering officers.

XVIII. *ſect.* 39. If ſuch ſhop-keeper, or other perſon ſelling tobacco by retail, ſhall refuſe or hinder any ſuch officer of his Majeſty's revenue as aforeſaid, to enter into his or their ſhop, ſtore-houſe, room, out-houſe, or other places belonging to them, and to take an account from time to time of all ſuch tobacco in their poſſeſſion, they ſhall forfeit fifty pounds.

Permits for land carriage.

XIX. *ſect.* 48. All tobacco above the weight of four pounds, that ſhall be carried to the inland parts, ſhall be liable to be ſeized by any of the officers of his Majeſty's revenue, and ſhall be deemed to be run goods, and forfeited as ſuch, unleſs the carrier ſhall actually produce a permit or let-paſs, given by the proper officer of the revenue for the carriage of the ſaid goods, if demanded or required ſo to do by the ſaid officer.

Oath of loſs of permit.

XX. *ſect.* 49. Provided, that on oath made by the carrier of the loſs of ſuch permit, and by the merchant before the commiſſioners or ſub-commiſſioners of exciſe in their reſpective diſtricts, that ſuch permit was not taken out or made uſe of to his knowledge or belief, to cover or protect any other goods, but was taken out for thoſe particular goods ſo ſeized, in ſuch caſe the entry of ſuch permit in the books of the proper officer, or a copy thereof duly atteſted, ſhall be evidence of ſuch permit, as if the permit had been produced at the time of ſeizure.

Fees to officers

XXI. *ſect.* 50. No collector or other officer in his Majeſty's revenue ſhall demand or take any fee for any permit for tobacco, other than the fees herein after mentioned; that is to ſay, for any permit of any quantity of tobacco under one hundred pounds weight, one penny; and for every permit for any quantity of tobacco of one hundred pounds weight and upwards, three pence; and the proper officer appointed for the iſſuing ſuch permits ſhall attend every day at the uſual cuſtom-houſe hours (Sundays, Chriſtmas-day, and Good Friday only excepted.)

This act is continued for two years, from the 24th day of June, 1766, and to the end of the then next ſeſſion of parliament, by the act 5 Geo. 3. cap. 16. ſect. 36.

XXII. *Stat.*

Tobacco.

XXII. *Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 1. All perſons who ſhall ſell any tobacco under the quantity of twenty pounds weight, ſhall be deemed to be retailers of the ſaid commodity, and be ſubject to all the laws and rules now in force with reſpect to retailers of ſuch commodity. Retailer of tobacco.

XXIII. *ſect.* 28. All tobacco in any package containing leſs than five hundred pounds weight, ſhall be ſeized and forfeited if found on board any ſhip, veſſel or boat, in any port or harbour of this kingdom, or hovering within three leagues of the ſhore of this kingdom, or ſhall be diſcovered ſo to have been, although bulk ſhall not appear to have been broke, or any of the ſaid commodity run, or attempted to have been run, out of ſuch veſſel (ſave only, and except, in caſe of unavoidable neceſſity and diſtreſs) which neceſſity and diſtreſs, the maſter, purſer, or perſon having or taking the charge or command of ſuch veſſel, ſhall immediately after the arrival of ſuch ſhip or veſſel, into any bay, harbour, river or creek, of, or belonging to this kingdom, give notice and make proof of, before the collector or other chief officer reſident at the neareſt port where ſuch veſſel ſhall arrive. Package leſs than 500 weight.

Tolls.

I. *Stat.* 4 *Ann. cap.* 8. *ſect.* 1. No toll ſhall be demanded or received by any body politic or corporate, or other perſons, for any cattle, goods, or merchandiſes, that ſhall be droven or carried into or through any place where the ſame ſhall not be ſold, conſumed, or ſlaughtered. No toll for goods not ſold.

II. *ſect.* 2. Provided, that where any perſons or bodies politic, heretofore lawfully could demand or take toll for cattle or other goods, driven or carried over any bridge, in reſpect of ſuch perſons or body politic being obliged at their own charges and not at the charges of any county, &c. to keep ſuch bridges in repair, ſuch perſons or body politic may take ſuch reaſonable toll for ſuch cattle or goods driven or carried over ſuch bridges, as they might have done by law before the paſſing of this act. Pontage.

III. *ſect.* 3. Where any cattle ſhall remain unſold at any fair or market, it ſhall be lawful for the owners or drivers thereof to carry away ſuch cattle as ſhall remain unſold without paying any toll whatſoever for the ſame. Cattle unſold at fairs.

IV. *ſect.* 4. In caſe any body politic or corporate, or other perſons ſhall preſume to demand or collect any toll contrary to this act, every ſuch offender ſhall forfeit for the firſt offence ten ſhillings, to be demanded before a juſtice of the peace within ſix days after ſuch offence committed, and for the ſecond and every other offence after conviction, five pounds, to be demanded alſo within the time aforeſaid, one moiety thereof to the party injured, and the other moiety to the uſe of the poor of the pariſh wherein ſuch offence ſhall be committed, to be recovered by diſtreſs and ſale of the offenders goods, on conviction before any juſtice of the peace of the county wherein ſuch offence ſhall be committed, by confeſſion of the party offending, or by oath of two credible witneſſes to be taken before ſuch juſtice. Penalty for offences.

(2) And in caſe any juſtice to whom ſuch complaints ſhall be made, ſhall refuſe or wilfully neglect to put this act in execution, every ſuch juſtice ſhall for every ſuch neglect or refuſal forfeit twenty pounds, the one moiety thereof to be to her Majeſty, and the other moiety to the party grieved; to be recovered by bill or information in any court of record. Juſtices refuſing complaints.

V. *ſect.* 5. Perſons who ſhall drive or carry away cattle, goods or merchandiſe into any city, borough, or town corporate, and ſhall there refuſe to pay the accuſtomed toll, under pretence that ſuch cattle, goods, or merchandiſes, are only to be droven through, and ſhall after ſell or diſpoſe of any part of ſuch cattle, goods, or Refuſing to pay toll.

merchandiſes, in ſuch city, borough, or town corporate, ſhall for the firſt offence forfeit ten ſhillings, being duly convicted thereof before any one juſtice of the peace or chief magiſtrate of ſuch city, town, or borough wherein ſuch offence ſhall be committed; and for every other offence that ſhall be committed after ſuch conviction, the party ſo offending ſhall forfeit five pounds, to be recovered and levied as aforeſaid.

This act is made perpetual by Stat. 6 Ann. cap. 12.

Toll of corn by weight.

VI. *Stat. 31 Geo. 2. cap. 9. ſect. 7.* All toll of any corn, grain, meal, and flour, ſhall be taken by weight, and not by meaſure, and any perſon who ſhall take or gather toll of any corn, grain, meal, or flour, otherwiſe than by weight, ſhall, for every ſuch offence, forfeit five pounds, to be recovered, upon due proof upon oath before the chief magiſtrate of the place, or juſtice of the peace of the county where the offence ſhall be committed, or by civil bill, at the aſſizes or quarter-ſeſſions of the county of Dublin (which oath ſuch chief magiſtrate and juſtice of the peace are impowered to adminiſter) and by warrant under their hands and ſeals, to levy the ſaid forfeitures by ſale of the goods and chattels of the perſon ſo offending, one moiety of which forfeiture ſhall go to the incorporated ſociety for promoting Engliſh proteſtant ſchools in Ireland, and the other moiety to the informer.

Trial of iſſues in cities, &c.

VII. *Stat. 1 Geo. 3. cap. 17. ſect. 13.* No iſſue ſhall hereafter be tried by a jury of any city, in any action or ſuit concerning any tolls, duties or cuſtoms, claimed by the corporation of ſuch city, but every ſuch iſſue ſhall be tried by a jury of an indifferent county, to be appointed by the court in which ſuch action or ſuit ſhall depend.

Schedule of tolls to be hung up.

VIII. *ſect. 29.* The mayor, or other chief magiſtrate of every city and town corporate, ſhall cauſe a ſchedule of the duties, tolls, or cuſtoms, claimed by the corporation of ſuch city or town corporate, to be hung up in ſome conſpicuous part of the market-houſes of ſuch city or town corporate, on every market-day, for one month next enſuing every Michaelmas day; and in caſe of neglect ſo to do, ſuch mayor, or other chief magiſtrate, ſhall, for every ſuch neglect, forfeit a penalty of ten pounds ſterl. to be recovered in a ſummary way, by civil bill, at the next aſſizes, by any perſons who ſhall ſue for the ſame.

Exacting other tolls.

IX. *ſect. 30.* If any officer of any corporation, farmer of tolls, or toll-gatherer, ſhall exact from, or compel any perſon to pay any duty, toll, cuſtom, or perquiſite, not mentioned or comprized in ſuch ſchedule, to be hung up as aforeſaid, ſuch officer, farmer of tolls, or toll-gatherer, ſhall for every ſuch offence forfeit five pounds, to be recovered by civil bill, at the next aſſizes, by any perſon, from whom any unlawful duty, toll, cuſtom, or perquiſite ſhall be ſo exacted.

Fuel exempted.

X. *ſect. 31.* All turf, furze, and timber in faggots, for fuel, ſhall paſs into and through every city and town, free from all toll, cuſtom, or perquiſite whatſoever, claimed by any officer or member of ſuch city or town.

Collector of tolls, &c.

Double tolls.

Upon narrow wheels, &c.

XI. *Stat. 5 Geo. 3. cap. 14. ſect. 42.* The receivers of the tolls and cuſtoms in the ſeveral cities, towns-corporate, market-towns, or fairs, or of the ſeveral bridges in this kingdom, for the paſſage over which tolls are paid, are hereby required to demand and levy from all perſons, double the tolls or cuſtoms they are by the laws now in force, or by uſage, enabled to receive, who ſhall carry any goods liable to pay any ſuch tolls or cuſtoms into or through any city, town-corporate or market-town, or fairs, or over any ſuch bridge in this kingdom, upon every ſuch car, cart, dray, or waggon, which ſhall not have the wheels thereof of the breadth or gauge of three

three inches at the leaſt, from ſide to ſide at the bottom or ſole when worn, or in caſe the ſtreaks or iron, with which the wheels thereof are bound, ſhall be ſet on with ſprigs or high-headed nails.

XII. *ſect.* 43. And if it ſhall appear upon due proof made by one credible witneſs upon oath, before any one juſtice of the peace for the county, city, or county of the city or town-corporate where ſuch collectors or receivers ſhall be employed to collect the tolls or cuſtoms (which oath ſuch juſtice is hereby required to adminiſter) that ſuch collector or receiver of the tolls and cuſtoms hath not obliged the owner or driver of any ſuch car, cart, dray, or waggon, to pay ſuch double tolls or cuſtoms for ſuch goods, ſuch collector or receiver knowingly ſo offending againſt this act, ſhall forfeit five pounds for every ſuch offence; to be levied by diſtreſs and ſale of his goods and chattles, by the warrant of ſuch juſtice of the peace under his hand and ſeal; one moiety whereof to be for the uſe of the informer, and the other for the poor of the pariſh.

Omitting to take double tolls.

Penalty of 5l.

Treaſon.

I. *Eng. Stat.* 25 *Edw.* 3. *ſt.* 5. *cap.* 2. When a man doth compaſs or imagine the death of the King, or of his wife, or of their eldeſt ſon and heir; or if a man doth violate the King's wife, or the King's eldeſt daughter unmarried, or the wife of the King's eldeſt ſon and heir; or if a man levy war againſt the King in this realm, or be adherent to the King's enemies in his realm, giving to them aid and comfort in the realm, or elſewhere, and thereof be probably attainted of open deed by men of his condition; and if any man counterfeit the King's great or privy ſeal, or his money, and if a man bring falſe money into this realm, counterfeit to the money of England, knowing the money to be falſe, to merchandiſe or make payment, in deceit of the King and of his people; and if a man ſlay the chancellor, treaſurer, or the King's juſtices of the one bench or the other, juſtices in eyre or juſtices of aſſiſe, and all other juſtices aſſigned to hear and determine, being in their places doing their offices; the caſes above rehearſed ought to be judged treaſon which extendeth to the King and his royal Majeſty; and of ſuch treaſon the forfeiture of the eſcheats pertaineth to the King, as well of the lands holden of other, as of himſelf.

Offences made treaſon.

(2) And there is another manner of treaſon, when a ſervant ſlayeth his maſter, or a wife her huſband, or when a man ſecular or religious ſlayeth his prelate to whom he oweth faith and obedience; and of ſuch treaſon the eſcheats ought to pertain to every lord of his own fee.

Other treaſon.

(3) And if any other caſe ſuppoſed treaſon happen before any juſtices, they ſhall tarry without going to judgment, till the caſe be ſhewed before the King and his parliament, whether it ought to be judged treaſon or felony.

Duty of juſtices.

(4) And if any man of this realm ride armed, diſcovert or ſecretly, with men of arms, againſt any other to ſlay him, or rob him, or to take or keep him till he hath made fine or ranſom, it is not the mind of the King nor his council, that it ſhall be judged treaſon, but it ſhall be judged felony or treſpaſs according to the laws; ſaving to the King the year and the waſte, and the forfeitures of chattels.

Riding armed.

(5) And writs of *ſcire facias* ſhall be granted in ſuch caſe againſt the land-tenants without other original, and without allowing any protection.

Writs of *ſcire facias.*

II. *Stat.* 18 *Hen.* 6. *cap.* 2. For that divers of the Engliſh do maintain and ſuccour thieves, robbers and rebels, that do put them into their ſafeguard and *comrick*, ſo that the ſubjects dare not purſue their right againſt ſuch thieves, robbers and rebels, for fear of them which have taken them into their ſafeguard; it is ordained, that

Comrick made treaſon.

that ſuch as do put themſelves, and ſuch as do grant ſuch ſafeguard and *comrick*, be adjudged traitors, and ſuch ſafeguard and *comrick*, ſhall be adjudged treaſon, unleſs it be granted by them that ſhall have authority by virtue of their office, or by ſpecial authority from the King upon pain of life and member.

Coſhering. III. *Stat.* 18 *Hen.* 6. *cap.* 3. No lord nor any other, ſhall bring any people nor horſes to lie upon the King's ſubjects without their conſents, but upon their own coſts, and without hurt doing to the commons of the country; and if any ſo do he ſhall be adjudgd as traitor.

Receiving rebels. IV. *Stat.* 10 *Hen.* 7. *cap.* 3. If any perſon do maintain, ſupport or receive any rebel, as well the receptor and maintainor, as that rebel or perſon ſo recepted or maintained, *ſhall* be adjudged traitors; and the King's great ſeal, privy ſeal, and letters miſſive under his ſignet, ſent out of his realm of England *to be executed againſt any rebels or traitors*, ſhall be duly obeyed, any pretenſed preſcription, uſurpation, or other ordinance made to the contrary notwithſtanding.

Cauſing inſurrections. V. *Stat.* 10 *Hen.* 7. *cap.* 13. Whatſoever perſons cauſe inſurrection, conſpiracies, or procure or ſtir Iriſhry or Engliſhry to make war againſt the King's authority, that is to ſay, his lieutenant or deputy, or juſtice, or elſe if any perſon procure or ſtir the Iriſhry to make war upon the Engliſhry, *ſhall* be deemed traitor attainted of high treaſon, in likewiſe as ſuch inſurrection had been levied againſt the King's perſon.

Burning corn, houſes, &c. VI. *Stat.* 13 *Hen.* 8. *cap.* 1. All wilful burning of ricks of corn in the fields, and in towns, and burning of houſes of any of the King's ſubjects, *ſhall* be high treaſon, and like proceſs, judgment and execution *ſhall* be awarded as againſt any that do commit treaſon in any other manner, ſaving to the chief lords of the ſoils their eſcheats.

Treaſon againſt the King, &c. VII. *Stat.* 28 *Hen.* 8. *cap.* 7. *ſect.* 2. If any perſon do maliciouſly wiſh or deſire by words or writing, or by craft imagine, invent, practiſe or attempt any bodily harm to be done or committed to the King's perſon, the Queen, or their heirs apparent, or to deprive them of the dignity or name of their royal eſtates, or ſlanderouſly publiſh by expreſs writing or words, that the King ſhould be heretic, ſchiſmatic, tyrant, infidel or uſurper of the crown, or rebelliouſly doth detain, keep or withhold from our ſovereign lord, his heirs or ſucceſſors, any of their fortreſſes within any the King's dominions or marches, or rebelliouſly detain from the King, his heirs or ſucceſſors, any of their ſhips, ordnances, artillery, or other munitions or fortifications of war, and do not render and give up to our ſaid ſovereign lord, his heirs or ſucceſſors, or to ſuch perſons as ſhall be deputed by them, ſuch caſtles, fortreſſes, fortileſſes, holds, ſhips, ordnances, artillery, and other munitions and fortifications of war, within ſix days next after they ſhall be commanded by open proclamations under the great ſeal, every perſon ſo offending in any of the premiſſes, their aiders, counſellors, conſentors, and abettors being thereof convicted, ſhall be adjudged traditours, and every ſuch offence ſhall be adjudged high treaſon, and the offenders therein, and their aiders, conſentors, counſellors and abettors being lawfully convict of any ſuch offence, ſhall ſuffer ſuch penalties as is accuſtomed in caſes of high treaſon.

No ſanctuary. VIII. *ſect.* 3. No offender in any kinds of high treaſons, their aidors, conſentors, counſellors and abettors, ſhall have the benefit or privilege of any manner of ſanctuary.

IX. *ſect.*

IX. *ſect.* 4. If any of the King's ſubjects commit or practiſe out of this realm any treaſon, ſuch treaſons ſhall be inquired and preſented by the oaths of twelve men, upon good and probable evidence in ſuch county of this realm, and before ſuch perſons as it ſhall pleaſe the King to appoint by commiſſion under his great ſeal, in like manner as treaſons committed within this realm, and upon every indictment found of any ſuch treaſons, and certified into the King's bench, like proceſs ſhall be had againſt the offenders, as if the treaſon had been found to be done within the realm, and all proceſs of outlawry againſt offenders in treaſon inhabiting out of the realm at the time of the outlawry pronounced, ſhall be effectual. Trial of treaſons by commiſſion.

X. *ſect.* 5. Every offender convict of high treaſon by preſentment, confeſſion, verdict, or proceſs of outlawry, ſhall forfeit to the King all lands which ſuch offender ſhall have of any eſtate of inheritance, at the time of ſuch treaſon committed, or after; ſaving to every perſon, other than the offenders, their heirs and ſucceſſors all rights, &c. *Eng. Stat.* 26 *Hen.* 8. *cap.* 13. Forfeiture of lands.

XI. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 1. *ſect.* 2. If any perſons maliciouſly give occaſion, by writing, deed, print, or act, whereby the King, his heirs or ſucceſſors might be diſturbed of the crown of this realm of Ireland, or of the name, ſtyle or title thereof, or by writing, deed, print or act, procure or do, or cauſe to be procured or done any thing to the prejudice, ſlander, diſturbance or derogation of the King, his heirs or ſucceſſors, whereby his Majeſty, his heirs or ſucceſſors might be diſturbed or interrupted in body, name, ſtyle, or title of inheritance in the crown of this land of Ireland, or of the name, ſtyle, title, or dignity of the ſame, every ſuch perſon, ſubject or reſiants within the ſaid land of Ireland, and their aiders, counſellors, maintainors and abettors therein, and every of them ſhall be adjudged high traitors, and every ſuch offence ſhall be adjudged high treaſon, and the offenders, their aiders, counſellors, maintainers and abettors therein, being convicted of any ſuch offence by preſentment, verdict, confeſſion or proofs, ſhall ſuffer death as in caſes of high treaſon, and ſhall forfeit unto the King and to his heirs Kings of this realm of Ireland, all lands which they had in their own right, or in any other perſons had to their uſe of any eſtate of inheritance at the day of any ſuch treaſon committed. Slandering the King's title.

(2) And every ſuch offender ſhall forfeit to the King, and to his ſaid heirs, as well all eſtates of freehold and intereſt for years of lands and rents, as all the goods which they had at the time of their conviction or attainder for any ſuch offence, ſaving alway to every perſon other than ſuch perſons as ſhall be ſo convicted or attainted, their heirs and ſucceſſors, and all other claiming to their uſe, all right, title, &c. Forfeiture of lands and goods.

XII. *Stat.* 27 *Eliz. cap.* 1. *ſect.* 8. All offenders convict of any high treaſon by any act of parliament, confeſſion, verdict or proceſs of outlawry, according to the due courſe of the laws or ſtatutes of this realm, ſhall forfeit to the Queen, her heirs and ſucceſſors, as well all ſuch rights, entries and conditions, as alſo all ſuch lands, tenements and hereditaments which any ſuch offenders ſhall have of any eſtate of inheritance in uſe or poſſeſſion, by any right, title or means within this realm, or within any the dominions of the ſame, at the time of any ſuch treaſon committed, or at any time after. Offenders convict of high treaſon.

(2) And every ſuch attainder according to the courſe of the common laws or ſtatutes, ſhall be of as good force and effect, as if it had been done by authority of parliament; and the Queen, her heirs and ſucceſſors ſhall be adjudged in actual and real poſſeſſion of all ſuch lands, tenements, uſes, hereditaments, goods, chattels, and all other things of the offenders ſo attainted, without any office or inquiſition Force of attainders.

to

to be found of the ſame, ſaving to every perſon other than the offenders in any treaſons, their heirs and ſucceſſors, and ſuch perſons as claim to any of their uſes all ſuch rights which they ſhall have at the day of the committing ſuch treaſons, or at any time afore, as if this act had never been made. *Eng. Stat. 33 Hen. 8. cap. 20.*

Copy of indictment for high-treaſon.

XIII. *Stat. 5 Geo. 3. cap. 21. ſect. 1. Whereas it is highly reaſonable and agreeable to the nature of our excellent conſtitution, that perſons proſcuted for high-treaſon under the ſtatute of the twenty fifth of Edward the third, ſhould be allowed all proper means for defence of their innocence; in order thereto, and for the better regulating of the trials of all ſuch perſons,* it *is* enacted, that all perſons who ſhall be accuſed and indicted for high-treaſon under the ſaid ſtatute, ſhall have a true copy of the whole indictment delivered to them, or any of them, upon requeſt, five days at leaſt before they ſhall be tried for the ſame, whereby to enable them, or any of them reſpectively to adviſe with council thereon to plead and make their defence, their attornies or agents requiring the ſame, and paying the officer for ſuch copy, two ſhillings and ſix pence, and no more.

Defence by council.

XIV. *ſect. 2.* And every ſuch perſon ſo accuſed and indicted, arraigned or tried for any ſuch offence, ſhall be received and admitted to make their full defence by council learned in the law.

Aſſigning council.

XV. *ſect. 3.* And the court before whom ſuch perſons ſhall be tried, or any judge thereof, is hereby required immediately upon their requeſt, to aſſign to ſuch perſons ſuch and ſo many council (not exceeding two in number) as they ſhall deſire, to plead for, and aſſiſt ſuch perſons in making their defence.

Treaſurer.

Power of the treaſurer.

I. *Stat. 10 Hen. 7. cap. 1. ſect. 1.* The treaſurer of Ireland *ſhall* have as ample power in all things concerning his office, as the treaſurer of England hath in his office, as for to make all cuſtomers, controllers, farmers, and other officers accountants for the increaſement of the King's revenue of this land.

Election of ſheriffs, &c.

II. *ſect. 2.* All acts of parliament concerning the election of ſheriffs and eſcheators of the ſhires of the ſaid land, and all other officers accountants, and farmers accountants contrary to this act *are* adnulled.

Account in the exchequer.

III. *ſect. 3.* The treaſurer of Ireland every year ſhall make a declaration of his account of the revenues of the ſame land, before the barons of the exchequer in Ireland, and before ſuch of the King's council there, as ſhall be appointed by the King's lieutenant or deputy for the time being, and the ſame declaration to be certified into the exchequer in England, and there before the barons of the exchequer in England, the ſaid account to be finiſhed.

IV. *ſect. 4.* This act *ſhall* not be prejudicial to the mayor, bailiffs and commons of the city of Dublin, ne to no city nor town priviledged within the land.

Treaſurers of Counties.

Vacancies of treaſurer's office.

I. *Stat. 33 Geo. 2. cap. 13. ſect. 1.* As often as any vacancy ſhall happen by the death, miſbehaviour, or reſignation of any county treaſurer in this kingdom, the juſtices of the peace for ſuch county, at the general quarter-ſeſſions which ſhall be held for ſuch county next after ſuch vacancy, on the firſt day of ſuch quarter-ſeſſions, ſhall appoint a proper perſon to ſerve as treaſurer of ſuch county, who ſhall before the next going judges of aſſize for ſaid county, enter into a recognizance in the ſum of one thouſand pounds, and procure two ſufficient ſureties, who ſhall enter a recognizance in the ſum of five hundred pounds each;

Recognizance.

(2) The

Treaſurers of Counties.

(2) The condition of which recognizance to be, that ſuch treaſurer ſhall, at every aſſizes, unleſs prevented by ſickneſs, or unavoidable neceſſity, juſtly account upon oath, in the uſual manner, for ſuch publick money belonging to ſuch county, as he ſhall have received or paid ſince the foregoing aſſizes; and that ſuch treaſurer, his heirs, &c. ſhall upon the death, &c. of ſuch treaſurer, pay and hand over ſuch balance of money as ſhall appear to be due by ſuch treaſurer; and alſo all the books, papers, and records of ſaid county, to his ſucceſſor in ſaid office, when appointed as aforeſaid, which recognizances ſhall remain in the hands of the clerk of the crown, to be kept among the records of ſuch county. Condition of the bond.

II. *ſect.* 2. No perſon being treaſurer of any county, ſhall, during his continuance in ſaid office, be capable of being clerk of the crown of the ſaid county, or exerciſe the office of juſtice of the peace, or be on a grand-jury for ſuch county, for which he is a treaſurer. Diſqualification.

III. *ſect.* 4. When any perſons intitled to receive publick money, ſhall apply to the treaſurers, the ſaid treaſurers ſhall, without delay, pay to ſuch perſons the whole of what he and they ſhall be intitled to receive, without any deduction whatſoever; and if he ſhall refuſe to do ſo, upon complaint made thereof upon oath before the next going judge of aſſize, ſuch judge ſhall lay a fine upon ſuch treaſurer ſo refuſing, not exceeding ten pounds. Not paying money due.

Treſpaſs.

I. *Stat.* 35 *Hen.* 6. *cap.* 2. Every man ſhall anſwer for the offence and ill doing of his ſon, as he himſelf that did the treſpaſs and offence ought to do; ſaving the puniſhment of death which ſhall incur to the treſpaſſer himſelf. Fathers anſwerable for children.

II. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 23. *ſect.* 1. All leud perſons which ſhall cut or unlawfully take away any corn growing, or rob any orchards or gardens, or break or cut any hedge, pales, rails or fence, or dig, pull up, or take up any fruit tree, to the intent to take the ſame away, or ſhall cut or ſpoil any woods or underwoods, poles or trees ſtanding, not being felony, and their procurers or receivers knowing the ſame, being convicted by confeſſion, or one witneſs, before ſome juſtice of peace, mayor or other head officer where the offence ſhall be committed, or the party apprehended, ſhall give ſuch recompence for the damages as by ſuch head officer or juſtice of peace ſhall be appointed for the firſt fault. Cutting corn, &c. breaking fences, &c.

(2) And if ſuch offenders ſhall be thought in the diſcretion of the juſtice, &c. not able, or do not make ſatisfaction for the damages, the juſtice, &c. ſhall commit the offenders to ſome conſtable or other inferior officers of the city, &c. or hamlet where the offence ſhall be committed, or the party apprehended to be whipped, and for every ſuch offence for which the offenders ſhall be eſtſoons committed, to receive the ſaid puniſhment of whipping. Whipping if inſolvent.

III. *ſect.* 2. If any conſtable or inferior officer do not, at the command of any juſtice of peace or other head-officer, execute by himſelf or ſome other the puniſhment limited by this ſtatute, it ſhall be lawful for the juſtice to commit the conſtable, &c. to the common gaol, until the offenders be by the ſaid conſtable, or by his procurement whipped. Defaults of conſtables.

IV. *ſect.* 3. Provided that no juſtice of peace, or other head officer, do execute this ſtatute for any the offences aforeſaid done unto himſelf, unleſs he be aſſiſted with one or more other juſtices of peace whom the offence doth not concern. *Eng. Stat.* 43 *Eliz. cap.* 7. Juſtices not to act in their own caſe.

V. *Stat.* 10 *Will.* 3. *cap.* 12. *ſect.* 17. Every perſon who ſhall be taken with or found, having or ſelling any ſort of fruit trees, nurſery plants, flower trees, green plant flowers with their roots, or their roots alone, or any quantity of fruit, ſuch Cauſes of ſuſpicion.

perſon not having a nurſery, flower garden or orchard of his or her own, or who does not publickly follow the trade of buying and ſelling fruit; or who ſhall be taken with bee-hives with honey or combs in them, or with freſh honey in combs, and not keeping bees of his or her own; ſhall be obliged to prove how he or ſhe came by the ſame, and upon failure of ſuch proof, ſhall be deemed to be guilty of ſtealing, and upon trial in caſe of ſuch failure, ſhall be convict of ſuch offence, and ſuffer all the penalties which by law ought to be inflicted on ſuch offence.

Trial.

Proceſs to witneſſes.

I. *Eng. Stat.* of York, 12 *Edw.* 2. *ſtat.* 1. *cap.* 2. When a deed is denied in the King's court wherein witneſſes be named, proceſs ſhall be awarded to cauſe ſuch witneſſes to appear, as hath been uſed, ſo that if none of them came in at the great diſtreſs returned, or if it be returned that they have nothing, or that they cannot be found, yet the taking of the inqueſt ſhall not be deferred;

Iſſues forfeited.

(2) And if the witneſſes come in at the great diſtreſs, and the inqueſt for ſome cauſe remaineth untaken, the witneſſes ſhall have like day given them as is aſſigned for the taking of the inqueſt, at which day if the witneſſes do not appear, the iſſues that were firſt returned upon them, ſhall be forfeit, and the taking of the inqueſt ſhall not be deferred becauſe of their abſence; and for abſence of witneſſes dwelling within franchiſes where the King's writ original doth not run, the taking of an inqueſt ſhall not be deferred.

Trial of deeds.

II. *Eng. Stat.* 9 *Edw.* 3. *ſtat.* 1. *cap.* 4. When any deeds in bar of any action, bearing date in a place within franchiſe, although there be witneſſes of the franchiſes named in the deeds, if the deeds be denied, proceſs ſhall be made into the county where the plea ſhall be moved to have the inqueſt of the county, and the witneſſes; and if the witneſſes come not at the great diſtreſs returned, the juſtices ſhall proceed to the taking of the inqueſt, as if the deed did bear date in the ſhire where the plea was moved, and witneſſes were of the ſame county.

Trial *per mediatatem linguæ.*

III. *Eng. Stat.* 28 *Edw.* 3. *cap.* 13. *ſect.* 2. In all inqueſts and proofs to be taken amongſt aliens and denizens, be they merchants or other, before any juſtices or miniſters although the King be party, the one half of the inqueſt or proof ſhall be denizens, and the other half aliens, if ſo many aliens be in the place, and if there be not ſo many aliens, then there ſhall be put in ſuch inqueſts or proofs as many aliens as ſhall be found which be not parties.

Want of freehold.

IV. *Eng. Stat.* 8 *Hen.* 6. *cap.* 29. The ſtatute 2 *Hen.* 5. *ſtat.* 2. *cap.* 3. (*which ſee in Tit.* Jurors.) ſhall not be prejudicial to the ordinance 28 *Edw.* 3. *cap.* 13. notwithſtanding that the aliens have not lands to the value of 40s. by the year.

Ladies to be tried by peers.

V. *Eng. Stat.* 20 *Hen.* 6. *cap.* 9. Ladies of peers, married or ſole, being indicted of treaſon or felony by them done, ſhall be put to anſwer and judged before ſuch judges and peers of the realm, as peers ſhould be if they were indicted.

Place of trial.

VI. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 19. *ſect.* 1. Where any perſon ſhall be feloniouſly ſtricken, poiſoned or bewitched in one county, and die of the ſame ſtroke, poiſoning or bewitching, in any other county, or in any place out of this kingdom; or where any perſon ſhall be feloniouſly ſtricken, poiſoned *or* bewitched in any place out of this kingdom, and die of the ſame in any county within this kingdom, an indictment found by jurors of the county where the death ſhall happen, ſhall be as effectual as if the ſtroke, poiſoning or witchcraft had been committed in the ſame county where the party ſhall die, and in caſe ſuch death ſhall happen to be in

in any place out of this realm, an indictment thereof found by jurors of the county where ſuch ſtroke, poiſoning or witchcraft ſhall be committed, and the trial and judgment thereupon, ſhall be as effectual as if the death had happened in the ſame county where ſuch ſtroke, poiſoning and witchcraft was given, committed or done.

Indictments and appeals.

VII. *ſect.* 2. The juſtices of gaol delivery, and oyer and terminer in the county where ſuch indictment ſhall be taken, and alſo the juſtices of the King's-bench after ſuch indictment ſhall be removed before them, may proceed upon the ſame as they ſhould do in caſe ſuch felonious ſtroke or poiſoning, or bewitching, and death thereof enſuing, had grown all in one county. And ſuch party to whom appeal of murder or manſlaughter ſhall be given, may ſue appeal of murder or manſlaughter in the ſame county where the party ſhall die, in caſe he die within any county within this realm.

Death out of the kingdom.

(2) And in caſe ſuch death happen out of this kingdom, then in ſuch county where ſuch ſtroke, poiſoning or witchcraft was committed, as well againſt the principal as againſt every acceſſory in whatſoever county or place within the King's dominions, the acceſſories ſhall be guilty.

Trial of acceſſories.

(3) And the juſtices before whom ſuch appeal ſhall be ſued within the year and day after ſuch murder or manſlaughter committed, ſhall proceed againſt all acceſſories in the ſame county where ſuch appeal ſhall be taken in like manner as if the offences of acceſſories had been committed in the ſame county, as well concerning the trial by the jurors or twelve men of ſuch county where ſuch appeals ſhall be taken, upon the plea of not guilty pleaded by ſuch offenders, as otherwiſe.

Indictments of acceſſories.

VIII. *ſect.* 3. Where any murder or felony ſhall be committed in one county, and another ſhall be acceſſory in another county within this realm, or in any place out of this realm, an indictment found againſt ſuch acceſſories in the county where ſuch offences of acceſſories ſhall be committed, ſhall be as effectual as if the principal offence had been committed within the ſame county where the indictment againſt ſuch acceſſory ſhall be found.

Certificate of attainder.

(2) And the juſtices of gaol-delivery or oyer and terminer, or two of them, in ſuch county where the offence of any ſuch acceſſory ſhall be committed, upon ſuit to them made, ſhall write to the *cuſtos rotulorum*, clerk of the crown, or other keepers of the records, where ſuch principal ſhall be attainted or convict, to certify them whether ſuch principal be attainted, convicted or diſcharged of ſuch principal felony, who upon ſuch writing ſhall make certificate under their ſeals to the ſaid juſtices or commiſſioners, whether ſuch principal be attainted, convicted or diſcharged.

Trial and proceedings.

(3) And the juſtices of gaol-delivery, or of oyer and terminer, ſhall proceed upon every ſuch acceſſory in the county where ſuch acceſſories became acceſſory in ſuch manner, as if both the principal offence and acceſſory had been committed in the ſame county where the offence of acceſſory ſhall be committed; and in caſe ſuch offence of acceſſory ſhall be committed in any place out of this kingdom, and indictment found againſt ſuch acceſſories in ſuch county where the principal offender ſhall receive his trial by force of this act, ſhall be as effectual as if the ſaid offences of acceſſory had been committed in the ſame county where the indictment againſt ſuch acceſſory ſhall be found.

Anſwer upon arraignment.

IX. *ſect.* 4. Every acceſſory and other offender above expreſſed, ſhall anſwer upon their arraignments, and receive ſuch trial, judgment and execution, and ſuffer ſuch forfeitures and penalties, as is uſed in other caſes of treaſon, murder, manſlaughter, or other felonies. *Eng. Stat.* 2 *&* 3 *Edw.* 6. *cap.* 24.

Venue in the proper county.

X. *Stat.* 6 *Ann. cap.* 10. *ſect.* 6. Every *venire facias* for the trial of any iſſue in any ſuit in her Majeſty's court of Queen's-bench, common-pleas or exchequer

at Dublin, ſhall be awarded of the body of the proper county where ſuch iſſue is triable.

Offences and penal ſtatutes

XI. *ſect.* 7. Provided that nothing in this act ſhall extend to any appeal of felony or murder, or to any indictment or preſentment of treaſon, felony or murder or other matter, or to any proceſs upon any of them, or to any action or information upon any penal ſtatute.

Actions in the four courts.

XII. *ſect.* 8. In any action brought in any of her Majeſty's four courts at Dublin, where it ſhall appear to the court, that it will be neceſſary that the jurors ſhould have the view of the lands or place in queſtion, in order to their better underſtanding the evidence that will be given upon the trials of ſuch iſſues, the courts may order ſpecial writs of *diſtringas* or *habeas corpora*, by which the ſheriff, or other officer ſhall be commanded to have ſix out of the firſt twelve of the jurors named in ſuch writs, or ſome greater number of them at the place in queſtion, ſome convenient time before the trial, who ſhall have the matters in queſtion ſhewn to them, by two perſons in the writs named, to be appointed by the court, and the ſheriff or other officer ſhall, by a ſpecial return, certify that the view hath been had according to the command of the ſaid writs. *Eng. Stat.* 4 & 5 *Ann. cap.* 16.

Offences on rivers.

XIII. *Stat.* 25 *Geo.* 2. *cap.* 10. *ſect.* 8. If any perſon ſhall commit any felony, or other offence upon any river (*which divides the counties adjoining*) ſuch perſons may be indicted and tried for the ſame in either of the counties adjoining to the place where ſuch felony or offence ſhall be committed, ſo always as that no perſon ſhall be tried more than once for any offence.

Truſts.

Declarations of truſts.

I. *Stat.* 7 *Will.* 3. *cap.* 12. *ſect.* 7. All declarations or creations of truſts of lands ſhall be manifeſted by writing ſigned by the party enabled to declare ſuch truſt, or by his laſt will in writing, or elſe they ſhall be void.

Saving conveyances.

II. *ſect.* 8. Where any conveyance ſhall be made of lands, by which a truſt ſhall ariſe by implication or conſtruction of law, or be transferred or extinguiſhed by operation of law, ſuch truſt ſhall be of like force as if this ſtatute had not been made.

Aſſignments to be in writing.

III *ſect.* 9. All grants and aſſignment of any truſts ſhall be in writing ſigned by the party granting or aſſigning the ſame, or by ſuch laſt will, or elſe ſhall be void.

Execution on truſt-eſtates.

IV. *ſect.* 10. It ſhall be lawful for every ſheriff or other officer, to whom any precept or writ ſhall be directed, upon any judgment, ſtatute or recognizance, to do execution of all ſuch lands, tithes and hereditaments, as any other perſons be ſeized or poſſeſſed in truſt for him againſt whom execution is ſued, as if the party againſt whom execution ſhall be ſued, had been ſeized of ſuch lands, &c. of ſuch eſtate as they be ſeized of in truſt for him at the time of the execution ſued, which lands, &c. ſhall be accordingly held, freed from all incumbrances of ſuch perſons ſeized or poſſeſſed in truſt.

Truſt-eſtates to be *aſſets*.

(2) And if any *ceſtuy que truſt* ſhall die leaving a truſt in fee-ſimple to deſcend to his heirs, ſuch truſt ſhall be *aſſets* by deſcent, and the heir ſhall be chargeable with the obligation of his anceſtor, as if the eſtate in law had deſcended to him.

Heirs not chargeable.

V. *ſect.* 11. Provided that no heir who ſhall be chargeable by reaſon of any eſtate or truſts made *aſſets* by this law, ſhall by reaſon of any plea, confeſſion of the action, or ſuffering judgment by *nient dedire*, or other matter be chargeable to pay the condemnation out of his own eſtate, but execution ſhall be ſued of the whole eſtate

eſtate ſo made *aſſets*, in whoſe hands ſoever it ſhall come after the writ purchaſed, in the ſame manner as by the common law, where the heir pleading a true plea, judgment is prayed againſt him thereupon. *Eng. Stat.* 29 *Car.* 2. *cap.* 3.

Turnpike Roads.

I. *Stat.* 21 *Geo.* 2. *cap.* 13. *ſect.* 15. All cars and carriages, making uſe of any part of any ſaplin or tree as or for a bow or backband, or making uſe of any ſaplins twiſted into gads for backbands, halters, traces to draw by, or gads, commonly called long gads, ſhall, for paſſing through any turnpike-gate in this kingdom, pay the ſum of one penny halfpenny, over and above the toll or duty required to be paid by any act now in force for paſſing through ſuch turnpike-gate; and alſo that every horſe, carrying any pack tied with gads made as aforeſaid, ſhall, for paſſing through any turnpike-gate, pay the ſum of one penny, over and above the toll or duty required to be paid by any act now in force for paſſing through ſuch turnpike-gate; and the truſtees of every turnpike act in this kingdom are hereby required to give notice in writing, by poſting the ſame on every turnpike-gate, that from and after the firſt day of Auguſt one thouſand ſeven hundred and forty eight, the ſaid additional tolls and duties will be demanded and taken for all cars, carriages, and horſes uſing bows and gads as aforeſaid.

Cars and carriges uſing a ſaplin or tree for a bow or back-band, or twiſted into gads, ſhall pay at turnpike 1 d. halfpenny above the toll.

Horſes with packs tied with ſuch gads ſhall pay 1 d. above the toll.

All truſtees ſhall poſt up notice of ſaid additional tolls.

II. *Stat.* 23 *Geo.* 2. *cap.* 16. *ſect.* 1. The truſtees appointed in purſuance of the ſeveral acts now in force, whereby any toll is granted for repair of turnpike roads, and their ſucceſſors, ſhall be ſeverally perſons capable to ſue and be ſued in all courts of law and equity, by the name of the truſtees appointed for putting in execution the powers in the ſaid ſeveral acts whereof they ſhall be appointed truſtees, and ſhall reſpectively uſe a common ſeal for the purpoſes aforeſaid, and alſo ſhall be capable by ſuch names reſpectively to take ſecurities for money due to them as truſtees, and for performance of any agreement entered into with them, or for the due execution of any power committed to any perſon concerning ſuch road or the tolls thereof, and alſo to enter into and execute all ſuch contracts as relate to the execution of the ſaid truſt, in ſuch manner as if they were made a body corporate by ſuch names reſpectively.

Capacity to ſue and be ſued.

III. *ſect.* 2. The truſtees for putting in execution the ſaid acts of parliament, or ſo many of them as by ſuch acts of parliament are reſpectively impowered ſo to do, ſhall according to the powers in them veſted by ſuch acts reſpectively, nominate a clerk or regiſter, and ſervice of ſuch clerk or regiſter for the time being, with any *ſubpœna*, order, decree or proceſs of any court, ſhall be good ſervice of the ſaid truſtees, ſo as ſuch ſervice be made twenty days at the leaſt before the return of ſuch *ſubpœna*, order, decree or proceſs, or the time appointed for obedience thereto.

Nomination of officers.

IV. *ſect.* 3. No aſſembly of ſuch truſtees ſhall be held to do any act, or to make any orders in purſuance of the powers in ſuch truſtees reſpectively veſted, without twenty days previous notice of the occaſion, time and place of ſuch meeting publickly poſted, from the time of poſting to the meeting of ſuch aſſembly, at every gate on ſuch road, ſigned by the regiſter, at which aſſembly the creditors of the ſaid roads reſpectively may be preſent.

Notice of meetings.

(2) And all proceedings to be done by the ſaid truſtees in purſuance of the powers in them reſpectively veſted, ſhall on the day whereon ſuch proceedings ſhall be had, be fairly wrote in a book by ſuch clerk or regiſter, and be ſubſcribed on the ſame day by ſeven of the ſaid truſtees at leaſt, who ſhall aſſent to ſuch proceedings, which book ſhall remain in the cuſtody of ſuch clerk or regiſter, to be inſpected by any

Entries of proceedings.

any creditor or other intereſted perſon, at all ſeaſonable times without fee, and all proceedings to be made without ſuch previous notice to be poſted and continued as aforeſaid, and which ſhall not be fairly wrote in a book, and ſubſcribed by at leaſt ſeven of the ſaid truſtees making or aſſenting to ſuch proceedings at the time aforeſaid, ſhall be void.

Leaſes of tolls.

V. *ſect.* 4. No demiſe, leaſe, or compoſition concerning the tolls ariſing by the ſaid roads, or any part of them, ſhall be made by the ſaid truſtees, or any of them, without thirty days previous notice of the ſaid truſtees intentions to execute or enter into ſuch leaſe or compoſition, and of the time and place appointed for doing thereof, which notice ſhall be ſubſcribed by their reſpective clerk or regiſter, and publickly poſted, and ſuch poſting as often as occaſion ſhall require, ſhall be renewed by the keepers of the reſpective gates, from the morning of the day whereon ſuch notice is to be firſt given to the meeting of the truſtees for the purpoſe aforeſaid, at the ſeveral gates on ſuch road.

Term of demiſes.

(2) And no ſuch leaſe or demiſe ſhall be made for any longer term than two years, to commence on the firſt day of May or firſt day of November which ſhall firſt happen after ſuch demiſe or leaſe, nor otherwiſe than by publick cant to the faireſt bidder, and all leaſes, compoſitions, and agreements to be made by the ſaid truſtees, without ſuch previous notice or for longer term than two years, to commence as aforeſaid, or to any other perſon than the beſt and higheſt bidder on ſuch cant ſhall be void, and no mortgage or alienation ſhall be made by the ſaid truſtees without thirty days previous notice given, and renewed as aforeſaid.

Scouring water-courſes.

VI. *ſect.* 5. The truſtees or any ſeven of them, may direct the poſſeſſors and occupiers of all lands adjoining to ſuch roads, to open and ſcour all water-courſes, ſtoppages and annoyances of water injurious to ſuch road, and in default of ſuch occupier or poſſeſſors ſo doing, within the time, and in the manner to be directed by the truſtees, they may cauſe it to be done, and levy what they ſhall have laid out in doing thereof, by diſtreſs and ſale of the goods of the perſon occupying ſuch lands, &c.

Qualification of truſtees.

VII. *ſect.* 6. No perſon hereafter to be appointed or elected a truſtee in purſuance of the turnpike acts, ſhall be capable of acting as a truſtee in the execution of the ſaid act, or any of them, unleſs ſuch perſon ſhall be in the actual poſſeſſion of lands or hereditaments, being freehold of the clear value of one thouſand pounds, and the perſon ſo elected, before he ſhall be admitted to act as a truſtee, ſhall ſwear that his eſtate is of the ſaid value, before five truſtees aſſembled at a board.

Breadth of wheels.

VIII. *Stat.* 5 *Geo.* 3. *cap.* 14. *ſect.* 44. Upon every carr, cart, dray or waggon, which ſhall not have the wheels thereof of the breadth or guage of three inches at the leaſt, from ſide to ſide at the bottom of the ſole, when worn, or in caſe the ſtreaks or iron, with which the wheels thereof are bound, ſhall be ſet on with ſprigs or high headed nails; the collectors of the tolls of the ſeveral turnpike gates in this kingdom, are hereby required to oblige the owner or driver of every ſuch car, cart, dray, or waggon, to pay thirteen pence tolls at each and every turnpike gate, which if ſuch gate-keeper ſhall neglect to do, it ſhall be lawful for any juſtice of the peace of the county, in which ſuch turnpike gate is, by warrant under his hand and ſale, to order any ſum not exceeding 20 s. to be levied off the goods and chattles of ſuch gate-keeper, for every ſuch offence, on due proof being made thereof by one credible witneſs upon oath before ſuch juſtice, (which oath ſuch juſtice is hereby impowered to adminiſter.)

Turnpike gate-keepers.

Thirteen pence at every gate.

Penalty 20 s.

IX. *ſect.*

Turnpike-roads.

IX. *ſect.* 45. The owner or driver of any waggon, wain, cart, or carriage, with wheels the breadth thereof being nine inches at the ſole or bottom thereof, and the ſtreaks thereof being ſet on with flat-headed nails, and placed at ſuch a diſtance from each other, that the ſpace between the middle of the one track made by ſuch wheels on the road, and the middle of the other track ſhall be four feet ten inches, ſhall not be obliged to pay more than ſix pence toll for any ſuch waggon, wain, cart, or carriage with four wheels, or more than three pence for any ſuch waggon, wain, cart, or carriage with two wheels, on any turnpike road in this kingdom. Waggons, &c. with nine inch wheels, ſix pence turnpike, &c.

Vacations.

I. *Eng. Stat.* 28 *Hen.* 8. *cap.* 11. *ſect.* 3. The year in which the firſt-fruits ſhall be paid to the King, ſhall begin immediately after the avoidance of any benefice ſpiritual, and the tithes, fruits, rents, and other profits, belonging to any archdeaconry, parſonage or other ſpiritual benefice, dignity, or office within the King's dominions, during the vacation of the ſame, ſhall belong to ſuch perſon as ſhall be next preſented, &c. toward payment of the firſt-fruits. Profits of vacations.

II. *ſect.* 4. If any ordinary take the fruits, tithes, profits, or caſualties belonging to any parſonage or other ſpiritual benefice, &c. during the vacation of ſuch benefice, &c. and the ſame, upon reaſonable requeſt, doth not reſtore to the next incumbent, or interrupt the incumbent to have the ſame, every perſon ſo doing, ſhall forfeit the treble value of ſo much as he ſhall have received; the moiety of which forfeiture ſhall be to the King, and the other moiety to the incumbent, to be recovered in any of the King's courts. Penalty on ordinaries.

III. *ſect.* 5. Provided that it ſhall be lawful to every ordinary to retain ſo much of the profits as ſhall amount to pay ſuch perſons as ſhall ſerve the cure during the vacation, their reaſonable ſtipend, and alſo for the collection of ſuch tithes, &c. during the vacation. Service of the cure.

IV. *ſect.* 6. In caſe the incumbent die, and before his death hath cauſed any of his glebe lands to be manured and ſown with corn, he may make his teſtament of the profits of the corn. Emblements.

V. *ſect.* 10. If the fruits of the vacation be not ſufficient to pay the curate's ſtipend, the ſame ſhall be paid by the next incumbent, within fourteen days after he hath the poſſeſſion. Curate's ſtipend.

Vagrants.

I. *Stat.* 33 *Hen.* 8. *ſeſſ.* 1. *cap.* 15. *ſect.* 1. At a parliament holden within the realm of England the twenty firſt year of King Henry the eighth, it was enacted, how poor and impotent perſons compelled to live by alms ſhould be ordered, and how vagabonds and ſtrong beggars ſhould be puniſhed, which act is thought neceſſary to be enacted in this land, wherefore the ſame act and every proviſion comprized in the ſame *ſhall* be kept as a law within this land, the tenor of which act enſueth *viz.* Engliſh act.

II. *ſect.* 2. The juſtices of the peace of all the ſhires, and all other juſtices of peace, mayors, ſheriffs, bailiffs and officers of every city, borough, or franchiſes within the limits of their authority, ſhall divide themſelves within the ſaid ſhires, &c. whereof they be juſtices or officers; and ſhall make diligent ſearch and inquiry of all aged and poor and impotent perſons which of neceſſity be compelled to live by alms within the limits of their diviſion, and upon ſuch ſearch, the ſaid juſtices, mayors, ſheriffs, bailiffs, and other officers, every of them within their limits whereunto Impotent poor.

they

they be divided, ſhall have authority to enable to beg within ſuch city, town, pariſh or other limits as they ſhall appoint, ſuch of the ſaid impotent perſons which they ſhall think moſt convenient within the limits of their diviſion, to live of the charity and alms of the people, and to give in commandment to every ſuch aged and impotent beggar, by them enabled, that none of them ſhall beg without limits to them ſo appointed, and ſhall alſo regiſter the names of every ſuch impotent beggar by them appointed, in a bill of roll indented, the one part thereof to remain with themſelves, and the other part to be certified before the juſtices of peace at the next ſeſſions to be holden within the ſaid ſhires, cities, towns, or franchiſes, to remain under the keeping of *cuſtos rotulorum*.

Certificates to beggars.

(2) And the ſaid juſtices, mayors, bailiffs and other officers, as they be divided, ſhall have authority to make ſeals to be engraved with the names of the places within the which they ſhall appoint and limit every ſuch impotent perſon to beg, and commit the ſaid ſeals to the cuſtody of ſuch as they ſhall think convenient, and ſhall make and deliver to every ſuch impotent perſon by them enabled to beg, a letter containing the name of ſuch impotent perſon, and witneſſing that he is authorized to beg, and the limits within which he is appointed to beg, the ſame letter to be ſealed with ſuch of the ſaid ſeals as ſhall be engraved with the names of the limit wherein ſuch impotent perſon ſhall be appointed to beg in, and to be ſubſcribed with the name of one of the ſaid juſtices or officers aboveſaid, if any ſuch impotent perſon ſo authorized to beg, do beg in any other place than within ſuch limits that he ſhall be aſſigned unto, the juſtices and all other the King's officers, ſhall by their diſcretions puniſh all ſuch perſons by impriſonment in the ſtocks by the ſpace of two days and two nights, giving them but only bread and water, and after that cauſe every ſuch impotent perſon to be ſworn to return again without delay to the town, pariſh, or franchiſes where they be authorized to beg in.

Begging without a certificate.

III. *ſect.* 3. No ſuch impotent perſon ſhall beg within any part of this realm, except he be authorized by writing under ſeal as is aboveſaid; and if any ſuch impotent perſon be vagrant and go a begging, having no ſuch letter under ſeal as is above ſpecified, the conſtables and all other inhabitants within ſuch town or pariſh where ſuch perſon ſhall beg, ſhall cauſe every ſuch beggar to be taken and brought to the next juſtice of peace or high conſtable of the hundred, and the ſaid juſtice or high conſtable ſhall command the ſaid conſtables and other inhabitants which ſhall bring before him any ſuch beggar, that they ſhall ſtrip him naked from the middle upward, and cauſe him to be whipped within the town where he was taken, or within ſome other town where the juſtice or high conſtable ſhall appoint, if it ſhall ſeem to the diſcretion of the ſaid juſtice or high conſtable that it be convenient ſo to puniſh ſuch beggar to him brought, and if not then to command ſuch beggar to be ſet in the ſtocks in the town or pariſh where he was taken three days and three nights, there to have only bread and water; and thereupon the ſaid juſtice or high conſtable ſhall limit to him a place to beg in, and give to him a letter under ſeal in form above remembred, and ſwear him to depart and repair thither immediately after his puniſhment.

Arreſting vagrants.

IV. *ſect.* 4. If any perſons able to labour be taken in begging, or if any man or woman able to labour, having no land, maſter, nor uſing any lawful merchandiſe, craft or myſtery, whereby he might get his living, be vagrant, and can give no reckoning how he doth lawfully get his living, it ſhall be lawful to the conſtables, and all other officers and ſubjects to arreſt the ſaid vagabonds and idle perſons, and them bring to any of the juſtices of peace of the ſame ſhire or liberty, or elſe to the high conſtable of the hundred, &c. within which ſuch perſons ſhall be taken; and if he

he be taken within any city or town corporate, then to be brought before the mayor, ſheriffs or bailiffs of ſuch town corporate.

(2) And every ſuch juſtice, &c. by their diſcretions ſhall cauſe every ſuch idle perſon to be had to the next market town or other place where the ſaid juſtices and other officers, &c. ſhall think moſt convenient, and there to be tied to the end of a cart naked, and be beaten with whips throughout the market town or other place till his body be bloody by whipping, and after ſuch whipping had the perſon ſo puniſhed, by the diſcretion of the juſtice, &c. ſhall be injoined upon his oath to return without delay in the next and ſtrait way to the place where he was born, or where he laſt dwelled by the ſpace of three years, and there to put himſelf to labour. Whipping naked.

V. *ſect.* 5. Every perſon ſo ordered, ſhall have a letter ſealed with the ſeal of the hundred, city, borough-town, or franchiſe wherein he ſhall be puniſhed, witneſſing that he hath been puniſhed according to this ſtatute, and containing the day and place of his puniſhment, and the place whereunto he is limited to go, and by what time he is limited to come thither, within which time he may lawfully beg by the way, ſhewing the ſame letter, and otherwiſe not; and if he do not accompliſh the order to him appointed by the ſaid letter, there to be taken and whipped, and ſo as often as any default ſhall be found in him contrary to the order of this ſtatute, in every place to be taken and whipped till he be repaired where he was born, or where he laſt dwelled by the ſpace of three years, and there labour for his living without begging as long as he is able ſo to do. Certificate of puniſhment.

(2) If the perſon ſo whipped be an idle perſon and no common beggar, after ſuch whipping he ſhall be kept in the ſtocks till he have found ſurety to go to ſervice or to labour, after the diſcretion of the ſaid juſtice, &c. if by the diſcretion of the ſame juſtice or other officer it be ſo thought convenient, and the party ſo puniſhed be able to find ſurety, or elſe to be ordered and ſworn to repair to the place where he was born, or where he laſt dwelled by the ſpace of three years, and to have like letter, and ſuch further puniſhment if he offend as is above appointed, for the common, ſtrong and able beggars, and ſo from time to time to be puniſhed till he labour or otherwiſe get his living according to the law. Surety to labour.

VI. *ſect.* 6. And the juſtices of the peace ſhall have authority within the limits of their commiſſions, to inquire of all mayors, bailiffs, conſtables, and other officers and perſons that ſhall be negligent in executing of this act; and if the conſtables and inhabitants where any ſuch impotent perſon or ſtrong beggar doth beg contrary to this ſtatute, be negligent and take not every ſuch beggar, and order and puniſh every ſuch beggar as is above limited, the townſhip or pariſh where ſuch default ſhall be, ſhall forfeit for every ſuch impotent beggar that ſhall be ſuffered to beg within the ſaid townſhip or pariſh, not being taken, ordered and puniſhed according to this ſtatute, 3 s. 4 d. and for every ſtrong beggar, 6 s. 8 d. the one half of which forfeitures to be to the King, and the other half to him that will ſue for the ſame before the juſtices in their general ſeſſions within the ſhire or liberty where ſuch default ſhall happen. Neglect of duty.

(2) And all juſtices of peace ſhall have authority as well to hear and determine every ſuch default by preſentment as by ſuch information, and upon every preſentment and every ſuch information to make proceſs by diſtreſs againſt the inhabitants of ſuch town and pariſh where any default ſhall be preſented or ſuppoſed by ſuch information, by authority of which diſtreſs the ſheriff or other officer ſhall diſtrain the goods of ſuch one or two of the inhabitants as he may have knowledge were moſt in default in the execution of this act, and the ſaid diſtreſs retain till they find ſurety to appear at the next ſeſſions limited in their ſaid diſtreſs, and in caſe they Preſentment of default.

they appear and confeſs the default, or elſe if they traverſe the preſentment and it be tried againſt them by verdict, or deny the information, and it be proved againſt them by ſufficient witneſs, the ſaid juſtices in their ſeſſions ſhall aſſeſs the fines after the rates aboveſaid, and make proceſs for the levying of the ſame by diſtreſs of the inhabitants of ſuch towns or pariſhes where ſuch default ſhall be tried or proved.

Diſpoſal of fines.

(3) And every ſuch fine if it grow by preſentment to be only to the King's uſe, and if by information the moiety thereof to be to him that purſueth the information, and the other moiety to the King's uſe, and if any ſuch perſons diſtrained appear not at the day and place contained in ſuch diſtreſs, then upon the return of the ſheriff or other officer that ſuch perſons were diſtrained, every ſuch perſon at the firſt diſtreſs ſhall loſe 40 d. and at the ſecond 6 s. 8 d. and ſo to be doubled upon every diſtreſs in ſuch caſes to be awarded, till appearance may be had by one of the inhabitants of ſuch town or pariſh to deny traverſe or confeſs the preſentment or information exhibited againſt ſuch town or pariſh, that upon trial or proof thereof, the fines above limited may be aſſeſſed and levied of the inhabitants, as is above.

Scholars begging.

VII. *ſect.* 7. Scholars of the univerſities that go about begging, not being authorized under the ſeal of the ſaid univerſities, by the commiſſary, chancellor, or vice-chancellor of the ſame, and all ſhipmen pretending loſſes of their ſhips and goods of the ſea, going about the country begging, without ſufficient authority witneſſing the ſame, ſhall be puniſhed and ordered in manner as is above rehearſed of ſtrong beggars.

Idle perſons.

(2) And all proctors and pardoners going about without ſufficient authority, and all other idle perſons going about in any country, or abiding in any city or town, ſome of them uſing divers crafty and unlawful games and plays, and ſome of them faining themſelves to have knowledge in phyſic, phiſiognomy, palmiſtry, and other crafty ſciences, ſhall upon examination before two juſtices of peace, whereof the one ſhall be of the *quorum*, if he by provable witneſs be found guilty of any ſuch deceits, be puniſhed by whipping at two days together, after the manner before rehearſed; and if he eftſoons offend in any like offence, then to be ſcourged two days, and the third day to be put upon the pillory from nine of the clock till eleven before noon, and to have one of his ears cut off; and if he offend the third time, to have like puniſhment, with whipping, ſtanding on the pillory, and to have his other ear cut off; juſtices of peace have like authority in every liberty and franchiſe within their ſhires, where they be juſtices of peace for the execution of this act, as without.

VIII. *ſect.* 8 This act ſhall every year be read in open ſeſſions, that the ſaid ſtatute ſhall be the more feared, and the better put in execution.

Reading in ſeſſions.

IX. *ſect.* 9. If any perſon give harbour, money, or lodging to any beggars able to work, which order themſelves contrary to this ſtatute, every ſuch perſon, being ſufficiently proved or preſented before any juſtice of peace, ſhall make ſuch fine to the King as by the diſcretion of the juſtices at their general ſeſſions ſhall be aſſeſſed.

Harbouring able beggars.

(2) And if any perſons diſturb or let the execution of this act, or make reſcous againſt any perſon that ſhall endeavour for the due execution thereof, every ſuch perſon for every offence ſhall forfeit 100 s. and have impriſonment at the King's will, the one half of which forfeit, if ſuch offence be committed in any city or town corporate, to be to the mayor or other head officers, to the uſe of the commonalty of ſuch city or town-corporate; and if it be committed out of the city or town-corporate, the ſaid one half to be to the lord of the leet or lawday where ſuch offence ſhall be done, and the other half of every ſuch forfeit to be to the King, for the which forfeit of 5 l. recovery ſhall be had by action in any of the

Reſcous.

King's

King's courts, in which ſuits the defendants ſhall not wage their law, nor have any eſſoign or protection allowed.

X. *ſect.* 11. The ſeals above rehearſed, ſhall be made at the coſts and charges of the juſtices of peace, mayors, ſheriffs, bailiffs, and other officers above written, that is to ſay, that every of them ſhall do the ſeals to be made within the limits of their juriſdictions. Charges of making ſeals.

XI. *ſect.* 12. Every letter to be made by the authority of this act, whereby any impotent beggar ſhall be authorized and aſſigned to beg ſhall be made in this form enſuing. Form of letter.

¶ Kanc. ſſ. ¶ Memorand' *that* A. B. *of* Deal, *for reaſonable conſiderations is licenſed to beg within the hundred of* P. K. *and* L. *in the ſaid county. Given under the ſeal of that limit.* Tali die & anno.

XII. *ſect.* 13. And every ſuch letter that ſhall be made and delivered to ſuch beggar or vagabond, after he hath been whipped by authority of this act, ſhall be made in this wiſe following: Certificate of whipping.

¶ Kent. ¶ J. S. *whipped for a vagrant ſtrong beggar; at* Deal *in the ſaid county, according to the law, the* 22*d day of* July, *in the* 23*d year of King* Henry *the eighth, was aſſigned to paſs forthwith and directly from thence to* Sale *in the county of* Middleſex, *where he ſaith he was born, or where he laſt dwelled by the time of three years, and he is limited to be there within* 14 *days next enſuing at his peril*, or within ſuch number of days as to him ſhall be limited by the diſcretion of the maker of the ſaid letter, *in witneſs whereof the ſeal of the limit of the ſaid place of his puniſhment hereunto is ſet.*

XIII *ſect.* 14. Every ſuch letter ſhall be made at the equal coſts of ſuch the ſaid juſtices, mayors, ſheriffs, bailiffs, and other officers, within whoſe juriſdictions the ſaid beggar or vagabond ſhall be whipped or limited to beg in; and ſhall be ſubſcribed with the hand of one of the ſaid juſtices, mayors, ſheriffs, bailiffs, or other officers in this form following: Coſts of letter.

Per me A. B. *unum juſticiariorum pacis*, or *majorem civitatis*, or *ballivum villæ*, or *conſtabularium talis hundredi*, or elſe in like form in Engliſh.

XIV. *ſect.* 15. Such perſons as have the cuſtody of any gaols, ſhall make a ſeal engraved with the name of the caſtle priſon or gaol which he keepeth; and in caſe any perſons ſhall be delivered out of any gaol or priſon for ſuſpicions of felony by proclamation, or be acquit of any felony, and hath no friends to pay his fees, nor was born within the place where he ſhall be ſo delivered, nor can get him no maſter there to abide and work with, ſhall have liberty to beg for his fees by the licence of his keeper ſix weeks after ſuch deliverance, and after that to be compelled to go to the hundred where he was born or laſt dwelled three years, within ſuch time as ſhall be limited by one of the juſtices of peace, mayors, ſheriffs, bailiffs, or other officers where ſuch deliverance ſhall be had. Gaolers ſhall have ſeals.

(2) And every perſon ſo delivered, ſhall have a letter made to him by the clerk of the peace of the ſhire, if he be delivered within the ſhire; and if he be delivered in any city, borough, or town-corporate, to have a letter of the common clerk of ſuch city where he is delivered, witneſſing the day of his deliverance, and the place where he was delivered, and before whom, and the time appointed to him to beg for his fees, and the place to the which he ſhall be aſſigned to repair unto delivered; and to every ſuch letter the gaoler or keeper of the priſon out of which ſuch perſon ſhall be delivered, ſhall put the ſeal limited to be made as is aforeſaid, and every ſuch letter ſhall be made in this wiſe following: Letter by the clerk of the peace.

Tenor of the letter.

¶ Eſſex. ¶ *The 20th day of July, Ann. Regni Regis* Henri. 8. 23. J. S. *was delivered for felony, out of the gaol of* D. *in the ſaid county, at the ſeſſions holden afore* A. B. *and his fellows at* Sale, *the day and year aforeſaid, and is allowed to beg for his fees by the ſpace of ſix weeks. And in caſe he can get him no maſter to work within the ſaid term, then he is aſſigned to paſs directly to* D. *in the county of* Kent, *where he ſaith he was born, or laſt dwelled by the ſpace of three years, and he is allowed fourteen days next after the ſaid ſix weeks for his paſſage thither,* or ſuch number of days as to him ſhall be limited by the diſcretion of the maker of the ſaid letter, *in witneſs whereof the ſeal of the priſon from the which he was delivered thereunto is ſet.*

And in ſuch ſhire where there is no gaol, the ſheriff thereof ſhall cauſe a ſeal to be engraved with the name of the ſhire, and ſhall uſe the ſame for ſuch perſons delivered as is aforeſaid, after like manner as the gaoler or keeper of the gaol is to do.

No fee for letters.

XV. *ſect.* 16. Every clerk of the peace of the ſhire, and every common clerk of every city, borough, or town-corporate, within which any ſuch perſon ſhall be delivered, ſhall make for every ſuch perſon as ſhall be ſo delivered where they be ſuch officers, the ſaid letter in form aboveſaid without any fee for the ſame, and ſhall deliver ſuch letter to the gaoler or keeper of the priſon from the which ſuch perſon ſhall be delivered, and if there be no gaol there, to the ſheriff of the ſhire, within one day after the end of the ſeſſions, where any ſuch deliverance is had, upon pain to forfeit for default of every letter, 12 d. to the King.

Duty of gaolers or ſheriffs.

(2) And the gaoler, and in caſe there be no gaol, then the ſheriff of the ſhire where any ſuch deliverance ſhall be had, ſhall not ſuffer any ſuch perſon to go abroad to beg for his fees, nor depart out of priſon, except it be to ſervice or labour, unleſs the gaoler or ſheriff firſt deliver to the ſaid perſon the ſaid letter, containing his name ſealed with the ſeal of the priſon from the which he ſhall be delivered, or elſe with the ſeal engraved with the name of the ſhire, if there be no priſon, upon pain for every default to loſe 12 d. to our ſaid ſovereign Lord.

Begging without a certificate.

XVI. *ſect.* 17. If any perſon ſo delivered out of priſon do beg, not having the ſaid letter ſealed in form aboveſaid, or beg contrary to the tenor of the ſame letter, he ſhall be taken, ordered and whipped, as is above appointed for ſtrong beggars, to be executed by ſuch as be above limited, and in ſuch wiſe and upon ſuch pain as is before limited for non-execution of the puniſhment of ſtrong beggars.

Doles and alms.

(2) Provided that it be lawful to every perſon being bounden by reaſon of any foundation or ordinance to give or diſtribute any money in alms, and alſo to every perſon at common *doles* uſed at burials or *obits*, to give and diſpoſe in alms any money to perſons coming to ſuch alms or *doles*, after like manner as they have been accuſtomed to do before the making of this act, without any danger or penalty of this ſtatute; provided that it be lawful to all maſters and governors of hoſpitals to lodge and harbour any perſons of charity or alms, according to the foundation of ſuch hoſpitals, and to give money in alms as they are bounden to do.

Note.

This act has been repealed, and afterwards revived and altered in England, vide Raſtal, *Tit.* **Vagabonds**. *ſect.* 2. *but it now ſtands repealed in Great Britain, and all the laws relating to vagabonds, &c. are reduced into one act, by* Brit. Stat. 17 Geo. 2. cap. 5.

Houſes of correction.

XVII *Stat.* 10 & 11 *Car.* 1. *cap.* 4. *ſect.* 1. There ſhall be provided within every county, one or more convenient houſes of correction, with convenient backſide thereunto adjoining, together with mills, working-cards, and other neceſſary implements, to ſet rogues and other idle perſons on work; the ſame houſes to be built

built or provided in ſome convenient place in every county, which ſhall be purchaſed, conveyed, or aſſured unto ſuch perſons, as by the juſtices of peace or the moſt part of them in their quarter-ſeſſions ſhall be thought fit, upon truſt, to the intent the ſame ſhall be employed for the keeping, correcting, and ſetting to work of rogues, vagabonds, ſturdy beggars, and other idle and diſorderly perſons.

XVIII. *ſect.* 3. The juſtices of peace in every county ſhall have power at any their quarter-ſeſſions, to make orders for the raiſing of money upon the inhabitants of the county, for erecting or providing, and for the government and ordering of the ſaid houſes, or for ſtocks of money for the ſetting to work ſuch perſons as ſhall be committed to the ſame, or for the yearly payment of ſuch officers as ſhall be appointed for governors of the ſaid houſes, and for ſuch other as they ſhall think neceſſary to be employed therein. Preſentments for houſes of correction.

(2) And the ſaid juſtices at their quarter-ſeſſions ſhall yearly appoint one ſufficient man inhabiting in the county, to be the treaſurer for the receiving and paying out of ſuch monies as ſhall be collected for the ſaid houſes, or for the uſe of them; and the ſaid treaſurer ſo elected, to continue for one year in his office, and then to give up his charge, with a due account of his receipts and diſburſements at the quarter-ſeſſions to be holden next after the feaſt of St. Michael every year, in the preſence of two juſtices of peace, to ſuch other as ſhall be from year to year ſucceſſively elected treaſurer. Appointing a treaſurer.

(3) And if any man choſen as aforeſaid, ſhall refuſe to accept or execute the ſaid office of treaſurerſhip, it ſhall be lawful for the juſtices in their quarter-ſeſſions, or in their defaults for the juſtices of aſſiſe, to fine the ſaid treaſurer by their diſcretion, the ſame fine not to be under three pounds *ſterling*, which ſhall be levied by ſale of his goods, by warrant to be given by the ſaid juſtices to ſuch perſons as they ſhall think fit, which fine ſo levied, to be towards the maintenance of the ſaid houſe of correction. Refuſing to act or account.

XIX. *ſect.* 4. The juſtices of peace of every county at their quarter-ſeſſions, from time to time, ſhall elect one or more fit perſons to be governor or maſter of the ſaid houſes ſo to be purchaſed or provided, which ſhall have authority to ſet ſuch rogues, vagabonds, idle and diſorderly perſons as ſhall be brought or ſent unto the ſaid houſe to work, deing able, for ſuch time as they ſhall continue in the ſaid houſe of correction, and to puniſh the ſaid rogues, vagabonds, idle and diſorderly perſons, by putting fetters or gives upon them, and by moderate whipping of them. Maſters of houſes of correction.

(2) And the ſaid rogues, vagabonds, and idle perſons during ſuch time as they ſhall remain in the ſaid houſe of correction, ſhall in no ſort be chargeable to the coutry, for any allowance either at their bringing in or going forth, or during the time of their abode there, but ſhall have ſuch allowance as they ſhall deſerve by their own labour. No allowance to vagabonds.

XX. *ſect.* 5. The maſters or governors of the ſaid houſes of correction ſhall have ſuch ſum yearly as ſhall be thought meet by the moſt part of the juſtices of peace at their quarter-ſeſſions, to be paid quarterly before-hand, by the treaſurer during the time that the ſaid maſters or governors ſhall be employed in the ſaid ſervice; the ſaid maſter or governor giving ſufficient ſecurity for the performance of the ſaid ſervice, which if the ſaid treaſurer ſhall neglect to perform, the ſaid maſter or governor ſhall by warrant from any two juſtices of the peace of the county, levy ſuch ſums as ought to be paid, by diſtreſs and ſale of ſo much of the treaſurer's goods, as the money which ſhall be behind doth amount unto, and in defect of ſuch diſtreſs, it ſhall be lawful for any two juſtices of the peace to commit the ſaid treaſurer to the county gaol, until payment be made of ſuch ſums as are behind, Allowance to the maſters.

behind, to the ſaid maſter or governor; provided that before any ſuch warrant be granted for diſtraining of the ſaid treaſurers goods or committing of his body, it ſhall appear before the ſaid juſtices either by confeſſion of the party or by teſtimony of two ſufficient witneſſes in the preſence of the treaſurer, that he hath ſo much money in his hands appertaining to the ſaid uſes, as may ſatisfy the ſaid maſter or governor.

Offences of the maſters.

XXI. *ſect.* 6. If ſuch maſters of the houſes of correction, ſhall not every quarter-ſeſſions yield a true account unto the juſtices of peace of all ſuch perſons as have been committed to their cuſtody; or if the perſons committed to their cuſtody, or any of them, ſhall be troubleſome unto the country by going abroad, or otherwiſe ſhall eſcape from the ſaid houſe of correction, before they ſhall be from thence lawfully delivered, the ſaid juſtices ſhall ſet ſuch fines upon the ſaid maſters, as the moſt part of them in their quarter-ſeſſions ſhall think fit, and all fines not herein before limited, ſhall be paid unto the treaſurer and accounted for.

Aſſemblies of the juſtices for privy ſearches.

XXII. *ſect.* 7. The ſaid juſtices of peace of every county, or any two of them, twice in every year, and oftner, if there be occaſion, ſhall aſſemble for the better execution of this ſtatute, and four or five days before their meeting, the ſaid juſtices ſhall by their warrant, command the conſtables of every barony, town, pariſh, village, and hamlet within the county, or ſo many of them as they ſhall think fit, which ſhall be aſſiſted with ſufficient men of the ſame places to make a general privy ſearch in one night, for the finding out and apprehending of rogues, vagabonds, wandering and idle perſons, and ſuch as they ſhall find and apprehend in the ſaid ſearch, ſhall be brought before the juſtices at their ſaid aſſembly to be puniſhed according to a ſtatute made in the three and thirtieth year of King Henry the eighth, againſt vagabonds, or by their warrant to be ſent unto the houſes of correction within the ſaid county appointed, there to be delivered unto the maſter or to his deputy or aſſignee, to be ſet to labour.

Account of conſtables.

(2) At which times of meeting ſo to be held by the juſtices, the conſtables of the ſaid baronies, pariſhes, towns, villages and hamlets, ſhall appear, and there ſhall account upon oath in writing, what rogues, vagabonds, and wandering and diſorderly perſons they have apprehended, both in the ſearch and alſo between ſuch aſſemblies, and how many have been by them puniſhed or ſent unto the houſes of correction; which if the ſaid conſtables ſhall neglect to perform, as alſo to convey ſafely all ſuch rogues, with all other idle or diſorderly perſons, at the charge of the conſtablewick, as by the juſtices warrants ſhall be ſent unto the houſes of correction in the ſame county, they ſhall forfeit ſuch further fines and penalties as by the ſaid juſtices of peace ſhall be thought fit, not exceeding forty ſhillings for every offence.

Begging ſcholars

XXIII. *ſect.* 8. All perſons calling themſelves ſcholars, going about begging, all idle perſons going about, either begging, or uſing any ſubtile craft or unlawful games or plays, or feigning themſelves to have knowledge in phiſiognomy, palmiſtry, or other like crafty ſcience, or pretending that they can tell deſtinies, fortunes, or ſuch other like fantaſtical imaginations; all perſons that be, or utter themſelves to be proctors, procurers, patent-gatherers, or collectors for gaols, priſons or hoſpitals;

Deſcription of vagabonds.

(2) All fencers, bearwards, common players of interludes and minſtrels, wandering abroad; all jugglers and wandering perſons, and common labourers, able in body and refuſing to work for ſuch reaſonable wages as is taxed and commonly given in ſuch parts where ſuch perſons dwell, not having living otherwiſe to maintain themſelves; all perſons delivered out of gaols that beg for their fees, or otherwiſe

wiſe travel begging; all ſuch as ſhall wander abroad, pretending loſs by fire or otherwiſe; all ſuch as pretend themſelves to be Egyptians, or wander in the form or attire of counterfeit Egyptians, ſhall be adjudged rogues, vagabonds, and ſturdy beggars, and ſhall ſuſtain ſuch puniſhments as are appointed by a ſtatute made in the three and thirtieth year of King Henry the eighth, *cap.* 15. in this kingdom, againſt vagabonds, or be otherwiſe dealt withal by ſending them to the houſe of correction in the county where they ſhall be found, as to the juſtices of the peace of the ſaid county, or to any one of them ſhall be thought fit.

Leaving families on the pariſh.

XXIV. *ſect.* 9. For that many wilful people finding that they have children, have ſome hope to have relief from the pariſh wherein they dwell, and being able to labour, and thereby to relieve themſelves and their families, do nevertheleſs run away out of their pariſhes, and leave their families upon the pariſh; all ſuch perſons ſo running away ſhall be deemed to be incorrigible rogues, and endure the pains of incorrigible rogues.

Threatning to run away.

(2) And if either ſuch man or woman, being able to work, and ſhall threaten to run away and leave their families as aforeſaid, the ſame being proved by two ſufficient witneſſes upon oath, before two juſtices of peace in the county where they dwell, or whither they run; the ſaid perſon ſo threatening, ſhall by the ſaid juſtices of peace be ſent to the houſes of correction, unleſs he or ſhe can put in ſufficient ſureties for the diſcharge of the pariſh, there to be dealt with and detained as a ſturdy and wandering rogue, and to be delivered by the juſtices at any of their meetings, or at their quarter-ſeſſions, and not otherwiſe.

Plea of not guilty, &c.

XXV. *ſect.* 10. If any action of treſpaſs or other ſuit ſhall be brought againſt any perſon for taking of any diſtreſs, making of any ſale, or any other thing doing, by authority of this act, the defendants may either plead not guilty, or otherwiſe make avowry, cognizance or juſtification by virtue of this act, alledging that the ſaid diſtreſs,, ſale, treſpaſs, or other thing whereof the plaintiffs complained, was done by authority of this act, without any rehearſal of any other matter contained in this act, to which the plaintiff ſhall be admitted to reply, that the defendant did take the ſaid diſtreſs, made the ſaid ſale, or did any other act or treſpaſs, ſuppoſed in his declaration of his own wrong, without any ſuch cauſe alledged by the defendant, whereupon the iſſue ſhall be joined, to be tried by verdict of twelve men, and upon the trial of that iſſue, the whole matter to be given on both parties in evidence, according to the truth of the ſame, and after ſuch iſſue tried for the defendant, or nonſuit of the plaintiff, the defendant ſhall recover treble damages with his coſts, to be aſſeſſed by the ſame jury, or by writ to inquire of damages, as the cauſe ſhall require.

Inquiry of defaults.

XXVI. *ſect.* 11. The juſtices of aſſiſes in their ſeveral circuits, ſhall have power to inquire of all defaults and negligences of any juſtice of peace, or any other officer or perſons, in the not due execution of this law, and alſo of all offences done contrary to the intent thereof, and to puniſh the ſame by fine or impriſonment, or otherwiſe. *Eng. Stat.* 7 *Jac.* 1. *cap.* 4.

Cofhering.

XXVII. *Stat.* 10 & 11 *Car.* 1. *cap.* 16. If any perſon that hath no means of ability of his own, or ſufficient means of ſupport from his parents and kindred, ſhall walk up and down the country with their foſterers or kindred and retinue, or ſhall coſher, lodge or ceſs themſelves, their followers, their horſes, or their greyhounds upon the inhabitants; or ſhall exact meat or drink or money from them, or ſhall crave any helps in ſuch ſort, as the poor people dare not deny the ſame, for fear of ſome ſcandalous rhime or ſong to be made upon them, or ſome worſe inconvenience to be done them; it ſhall be lawful for every juſtice of peace, and

for

for the juſtices of aſſiſe in their ſeveral circuits, to apprehend or cauſe to be apprehended all ſuch perſons, and them to bind to their allegiances, or to the good behaviour, and to commit the ſaid perſons to the common gaol of the county, until they ſhall find bonds by recognizance, with very good ſureties; which juſtice ſhall return all ſuch bonds or recognizances ſo be taken, at the next general ſeſſions of the peace for the county where the ſame ſhall be taken.

Sheriffs, &c. to aſſiſt juſtices.

(2) And all ſheriffs, bailiffs, conſtables, provoſts, marſhals, and other ſubjects, are required to be aſſiſting to every juſtice of the peace, and juſtices of aſſiſe, in the apprehending of the ſaid coſherers and wandering idlers, when they ſhall be required, upon pain of ſuch fines to be ſet upon them for their neglect, as upon conviction before the juſtices, at their general ſeſſions of the peace, or before the juſtices of aſſiſe at their diſcretion, ſhall be ſet upon them for their default.

Tranſportation of vagabonds.

XXVIII. *Stat.* 6 *Ann. cap.* 11. *ſect.* 1. All looſe, idle vagrants, and ſuch as pretend to be Iriſh gentlemen, and will not work, nor betake themſelves to any honeſt trade or livelyhood, but wander about demanding victuals and coſhering from houſe to houſe, and alſo looſe perſons of infamous lives and characters, ſhall upon the preſentments of the grand juries at the aſſizes, *or and at the general quarter-ſeſſions of the peace* of the reſpective counties where ſuch perſons frequent, and upon the warrants from the juſtices of aſſize, *juſtices of the peace at their reſpective quarter-ſeſſions*, be ſent to gaol, until they ſhall be ſent on board her Majeſty's fleet, or to ſome of her Majeſty's plantations in America, whither ſuch juſtices of the aſſize, *and juſtices of the peace at their general quarter-ſeſſions* are authorized to ſend ſuch perſons, unleſs they give ſufficient ſecurity to be of the good behaviour.

Continuation.

This clauſe is altered by Stat. 9 *Geo.* 2. *cap.* 6. *ſect.* 3. *as to the power given to the grand-juries at the quarter-ſeſſions, of making preſentments of vagrants*, &c. *and this act is continued by Stat.* 29 *Geo.* 2. *cap.* 8. *for twenty-one years*, &c.

Calendar of perſons in cuſtody.

XXIX. *Stat.* 2 *Geo.* 1. *cap.* 17. *ſect.* 22. The maſter and keeper of every houſe of correction or workhouſe, at every general quarter-ſeſſions of the peace, to be held for the county, city, or town wherein ſuch houſe of correction or workhouſe is, ſhall deliver to the juſtices at the ſaid quarter-ſeſſions, an exact calendar, or an account of the names of every perſon in his cuſtody, in writing, and ſigned by him, together with the time when and for what, and by whom committed to him, to the end the juſtices may in open court inquire into the cauſe of ſuch commitment, and the condition and circumſtances of each perſon, and either continue or diſcharge them, as ſhall ſeem to the court moſt reaſonable; and every maſter or keeper of ſuch houſe of correction or workhouſe, failing herein, ſhall for every ſuch neglect forfeit five pounds to ſuch perſons as ſhall be in his cuſtody, and not returned by him in calendar as aforeſaid, to be recovered before the next going juſtices of aſſiſe in a ſummary way, or at the next quarter-ſeſſions in the county of Dublin, by civil bill.

Returning or eſcaping from tranſportation

XXX. *Stat.* 8 *Geo.* 1. *cap.* 9. *ſect.* 1. If any felons or vagabonds, who ſhall be ordered to be tranſported purſuant to any of the ſtatutes now in force, ſhall afterwards break gaol or be at large within any part of Ireland, without ſome lawful cauſe before the expiration of the term for which ſuch felons or vagabonds ſhall be ordered to be tranſported, ſuch perſons being thereof convicted, ſhall ſuffer death as in caſes of felony without benefit of clergy or of the ſtatute 9 *Ann. cap.* 6.

Trial in any county.

XXXI. *ſect.* 2. Such offenders may be tried for the ſaid offence in any county, and the clerk of the crown and clerk of the peace where ſuch orders of tranſportation

tation ſhall be made, ſhall at the requeſt of the proſecutor, or any other in his Majeſty's behalf, certifie a brief abſtract containing the tenor of every indictment and conviction, and of the order for tranſportation, to his Majeſty's juſtices of the King's-bench, or the juſtices of aſſize, oyer and terminer or gaol delivery, or the juſtices of the peace at their quarter-ſeſſions to be held for the county of Dublin, and county of the city of Dublin, where ſuch man or woman ſhall be indicted or preſented, not taking for the ſame above 2 s. 6 d. which certificate ſhall be a ſufficient proof that ſuch perſon or perſons have been before convicted as a felon, or preſented as a vagabond reſpectively, and ordered to be tranſported.

Preſentment of money for tranſporting.

XXXII. *Stat.* 3 *Geo.* 2. *cap.* 4. *ſect.* 5. Where any vagabond, or other offender, ſhall be preſented by the grand jury as a vagabond, in order to be tranſported, the grand juries at the ſeveral aſſizes or in the King's bench, or on any commiſſion of oyer and terminer, or at the general quarter-ſeſſions of the peace for the county of Dublin, or county of the city of Dublin, may preſent any ſum not exceeding ſix pounds for the effectual tranſportation of each perſon ſo convicted or preſented, in which ſhall be included a ſum not exceeding twenty ſhillings for tranſmittal of ſuch perſons to be tranſported.

Payment to the ſheriffs.

(2) Which ſums when preſented and levied, ſhall be paid by the treaſurers of the reſpective county where ſuch perſons ſhall be convicted or preſented for tranſportation to the ſheriffs of the reſpective counties.

Tranſmittal to ſea-ports.

(3) And the ſheriffs are directed upon ſuch preſentments being made, forthwith to tranſmit ſuch offenders to one of the ſeaport towns or cities, where by the law now in force, they are obliged to ſend them, where there are any ſhips ready to ſail to any of his Majeſty's plantations in America, and to deliver over ſuch offenders to the chief magiſtrate of ſuch city or town, with the reſpective ſums preſented after deducting ſo much as is allowed in the preſentment for tranſmittal fees.

Delivery to maſters of ſhips.

(4) And the chief magiſtrate to whom ſuch offenders are delivered, is to deliver over ſuch offenders with the ſeveral ſums paid to him by the ſheriffs, to ſuch maſters of ſhips who contract for the tranſportation of ſuch offenders; and the chief magiſtrate is required to give a receipt for the money ſo paid, and for the offenders ſo delivered to him. *Brit. Stat.* 2 *Geo.* 2. *cap.* 25.

Continuation.

This act is continued by Stat. 29. Geo. 2. cap 8. ſect. 2. *from the end of that ſeſſion of parliament, for twenty one years, and to the end of the then next ſeſſion.*

Committal of vagrants.

XXXIII. *Stat.* 9 *Geo.* 2. *cap.* 6. *ſect.* 2. All looſe idle vagrants, and ſuch as will not work and betake themſelves to an honeſt livelyhood, and all looſe perſons of infamous lives and characters, upon the preſentment of the grand juries at the King's bench, or at the ſeſſions of oyer and terminer for the county of the city of Dublin, or county of Dublin, ſhall by order of the ſaid courts, or upon warrants from any of the judges of the King's bench or juſtices of oyer and terminer, or of any juſtice of the peace of the county where ſuch preſentment is made, be committed to the county gaol, and there remain without bail or mainprize, until *they* ſhall be ſent on board *the* fleet, or to *the* plantations in America.

Security of good behaviour.

(2) And the judges or juſtices of ſuch courts are authorized to ſend ſuch perſons to *the* plantations, for any term not exceeding ſeven years, unleſs they give ſufficient ſecurity by recognizance to be of good behaviour, before the judges or juſtices of ſuch courts, or ſuch juſtices of the peace of the county where ſuch preſentment is made, and within ſuch time as the ſaid judges or juſtices by order of court made upon ſuch preſentment ſhall appoint.

Returning from tranſportation, &c.

(3) And in caſe ſuch perſons ſhall break gaol, or be at large in this kingdom, or ſhall return from tranſportation before the expiration of the term, they are reſpectively ordered to be tranſported for, *they* ſhall ſuffer the ſame penalties as vagabonds ordered to be tranſported at the aſſiſes are ſubject to, and ſhall be tried in like manner.

Preſentments of vagabonds.

XXXIV. *ſect.* 3. It ſhall not be lawful for the grand jury at the general quarter-ſeſſions of the peace to be held for any county, the county of the city of Dublin, and county of Dublin excepted, to make ſuch preſentments, as by *Stat.* 6 *Ann. cap.* 11. are allowed to be made; but all preſentments made by ſuch grand juries, except as before excepted, and all orders and warrants grounded thereon, ſhall be void.

Traverſing preſentments.

XXXV. *ſect.* 4. It ſhall be lawful for every perſon preſented by any grand jury at the King's bench, the aſſiſes, ſeſſions of oyer and terminer, and gaol delivery, and general quarter-ſeſſions of the peace for the city and county of Dublin, to traverſe ſuch preſentment, if they ſhall think fit; and ſuch traverſe ſhall be tried the ſame term, aſſiſes of oyer and terminer, and general quarter-ſeſſions of the peace for the county of the city of Dublin, or county of Dublin, in which ſuch preſentments are made, in caſe the perſons ſo preſented are then in cuſtody, or at the next enſuing term, ſeſſions of oyer and terminer, or quarter-ſeſſions for the counties aforeſaid, according to the direction of the judge or juſtices before whom ſuch preſentment ſhall be made; and in the mean time they ſhall continue in gaol without bail or mainprize, unleſs they ſhall give ſufficient ſecurity by recognizance to be of good behaviour, before ſuch judge or juſtices as ſhall be appointed by order of the court where ſuch preſentment is made.

Proceſs to be awarded.

(2) And in caſe the perſons ſo preſented ſhall be at large at the time of ſuch preſentment, the court ſhall award proceſs to iſſue againſt them, and if they ſhall be apprehended upon ſuch proceſs, or by warrant from any juſtice of the county where ſuch perſons ſhall be preſented, they ſhall be committed to gaol without bail or mainprize till the next term, aſſizes, ſeſſions of oyer and terminer, or quarter ſeſſions for the county of the city or county of Dublin, unleſs *they* ſhall give ſufficient ſecurity by recognizance to be of good behaviour, before ſuch juſtices of the peace as the court at the time of awarding proceſs againſt them ſhall appoint, and not otherwiſe.

Failure in giving ſecurity.

(3) And in caſe ſuch perſons ſo preſented and apprehended, at the next term, aſſizes, ſeſſions, of oyer and terminer, or general quarter-ſeſſions of the peace for the county of the city or county of Dublin, ſhall be found in gaol, and cannot then give ſufficient ſecurity to be of good behaviour, or in caſe of a traverſe, ſuch traverſe ſhall be found againſt them, ſuch perſons ſhall be ſent on board *the* fleet, or be tranſported to ſome of the plantations in america.

Continuation

This act is continued, by Stat. 29 Geo. 2. cap. 8. *for twenty one years, &c.*

Statutes continued.

XXXVI. *Stat.* 29 *Geo.* 2. *cap.* 8. *ſect.* 2. One act made 6 *Ann. cap.* 11. *for explaining and amending two ſeveral acts againſt tories, robbers, and rapparees, ſo far* as the ſaid act is not altered by an act made 6 *Geo.* 1. *cap.* 12. *for the better and more effectual apprehending and tranſporting felons and others, &c.* and one other act made, 8 *Geo.* 1. *cap.* 9. *for amending an act for the more effectual apprehending and tranſporting felons and others, &c.* and ſo much of one other act made 3 *Geo.* 2. *cap.* 4. *for the more effectual tranſporting felons, vagabonds and others*; and alſo ſo much of one other act 9 *Geo.* 2. *cap.* 6. *for continuing and amending ſeveral acts near expiring*, as alters or adds to any of the ſaid acts, and all the powers, proviſoes and penalties in the

the ſaid acts, with the alterations and additions made by the ſaid act, 9 *Geo.* 2. *cap.* 6. ſhall continue from the end of this ſeſſion of parliament, for twenty one years, and to the end of the then next ſeſſion.

Vermin.

I. *Stat.* 17 *Geo.* 2. *cap.* 10. *ſect.* 8. Perſons who ſhall kill otters, weeſels, martins, herons, cormorants, kites, ſcall-crows, magpyes, jays, rooks, or water-rats, commonly called Norway rats, ſhall receive the following rewards, viz. for every otter 5 s. for every weeſel, martin, heron, cormorant, or kite, 6 d. and for every ſcall-crow, magpy, or jay, 3 d. and for every rook or jack-daw, 1 d. and for every water-rat, commonly called Norway rats, 1 d. which ſeveral ſums and no more, on proof being made by affidavit before two juſtices of the peace of the county where ſuch vermin were killed, and producing the heads of ſuch vermin, and alſo the tails of the rats, every grand jury at the general aſſiſes, ſhall preſent to be levied on the county, and paid to the perſons intitled to the ſame in the uſual manner of other preſentments. Rewards for deſtroying vermin.

This clauſe, except what relates to giving rewards for killing rooks and herons, Continuation. *is continued* to the firſt day of May, one thouſand ſeven hundred and ſixty nine, *and to the end of the then next ſeſſion of parliament, by* Stat. 1 Geo. 3. cap. 17. ſect. 2.

Victuals.

I. *Eng. Stat.* of the pillory, 51 *Hen.* 3. *ſtat.* 6. *ſect.* 1. If a baker or a brewer be convict becauſe he hath not obſerved the aſſiſe of bread and ale, the firſt, ſecond and third time he ſhall be amerced according to his offence, if it be not over grievous; but if the offence be grievous and often, he ſhall ſuffer puniſhment of the body, viz. a baker to the pillory, and a brewer to the tumbrel, or ſome other correction. Firſt, ſix lawful men ſhall be ſworn trully to gather all meaſures of the town, viz. buſhels, half and quarter buſhels, gallons, pottles and quarts, as well of taverns as of other places, meaſures and weights, viz. pounds, half-pounds and other little weights, wherewith bread of the town or of the court is weighed, and upon every meaſure, buſhel and weight, the name of the owner ſhall be written, and likewiſe they ſhall gather the meaſures of mills; after which twelve men ſhall ſwear to make true anſwer to all ſuch things as ſhall be demanded of them in the King's behalf upon articles here following, and ſuch things as be ſecret, they ſhall utter ſecretly and anſwer privately; and the bailiff ſhall be commanded to bring in all the bakers and brewers with their meaſures; and firſt, they ſhall inquire the price of wheat, how a quarter of the beſt wheat was ſold the laſt market day, and how the ſecond wheat, and how the third, and how a quarter of barly and oats; after how the beakers bread doth agree; alſo upon how much increaſe or decreaſe in the price of wheat a baker ought to change the aſſiſe and weight of his bread; alſo for default in the weight of the bread a baker ought to be amerced, or to be adjudged unto the pillory, alſo if any ſteward or bailiff for any bribe, doth releaſe puniſhment of the pillory and tumbrel. Not obſerving the aſſize. Amerciament.

II. *ſect* 2. Alſo if they have in the town a pillory of convenient ſtrength, after they ſhall inquire of the aſſiſe and price of wine after the departure of the juſtices in eyre, and if any corrupted wine be in the town; alſo of the aſſiſe of ale, how much brewers have ſold contrary to the aſſiſe, and they ſhall preſent their names, that they be amerced or judged to the tumbrel.

False measures. III. *sect.* 3. Also if there be any that sell by one measure and buy by another, also if any do use false ells, weights or measures; and if any butcher sell contagious flesh; also they shall inquire of cooks that seethe flesh or fish with bread or water or otherwise that is not wholsome, or after that they have kept it so long that it loseth its natural wholsomness, and then seethe it again and sell it; or if any buy flesh of Jews and then sell it to Christians.

Forestallers. (2) And also forestallers that buy any thing afore the due hour, or that pass out of the town to meet such things as come to the market to the intent they may sell the same in the towns unto regrators. When a quarter of barley is sold for 2 s. then four quarts of ale shall be sold for 1 d. when for 2 s. 6 d. then seven quarts for 2 d. when for 3 s. then three quarts for 1 d. when for 3 s. 6 d. then five quarts for 2 d. when for 4 s. then two quarts at 1 d.

Officers not to merchandize. IV. *Eng. Stat.* of York, 12 *Edw.* 2. *stat.* 1. *cap.* 6. No officer in city or borough that ought to keep assises of wines and victual, shall merchandize for wines nor victual; and if any do and be thereof convict, the merchandise shall be forfeit to the King, and the third part thereof shall be delivered to the party that sued the offender; and the chancellor, treasurer, barons of the exchequer, justices of either bench, and justices assigned to take assises, shall admit such plaints by writs and without writs, and shall determine them, and shall perform all things contained in these articles, and the King may assign his justices to execute this in cities and boroughs.

VI. *Eng. Stat.* 23 *Edw.* 3. *cap.* 6. Butchers, fishmongers, regrators, hostlers, brewers, bakers, poulterers, and other sellers of victual, shall be bound to sell the same for a reasonable price; and if any sell victuals in other manner and thereof be convict, *viz. by suit in the county, wapentake, tithing, or such other the King's courts,* he shall pay double the same that he received to the party damnified, or in default of him to any other that will sue; and the mayors and bailiffs of cities, boroughs, market-towns, and others, and of the ports and other places, shall have power to inquire; and in case the mayors and bailiffs be negligent, and be thereof convict before the justices assigned, they shall pay the treble of the thing sold to the party damnified, or in default of him to any other that will sue, and be grievously punished towards the King.

Gains of victuallers. VIII. *Eng. Stat.* 13 *Rich.* 2. *cap.* 8. Victuallers shall have reasonable gains, according to the discretion of the justices of peace, and no more, upon pain to be grievously punished according to the discretion of the justices, where no pain is limited in certain. And sheriffs, stewards of franchises, mayors and bailiffs, and all other that have assise of bread and ale, shall take no amercement or fine for any default touching the assise for which a man ought to have bodily punishment. And mayors, &c. that have the survey of victuals in cities, &c. shall put the statute 23 *Edw.* 3. *cap.* 6. in execution. *Confirmed by* 4 Hen. 4. cap. 25.

Chief magistrates VIII. *Eng. Stat.* 12 *Edw.* 4. *cap.* 8. No person, other than mayors and governors of cities and towns, or other intitled by charter, by colour of letters patant obtained or to be obtained, shall use any such office as surveyors of victuallers, upon pain of forty pounds, the one half to the King to the use of his house, the other half to him that will sue for the same by action of debt. *See Tit.* **Corn, Bread, Wine.**

View.

I. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 48. View ſhall not be granted but where the view is neceſſary. As if one loſe land by default, and moveth a writ to demand the ſame land, and where one by an exception dilatory abateth a writ after the view, as by non-tenure or miſnaming of the town, &c. if he purchaſe another writ; in this caſe and in the caſe before mentioned, the view ſhall not be granted, if he had view in the firſt writ. In a writ of dower, where the demand is of land that the huſband aliened to the tenant or his anceſtors, though the husband died not ſeized, yet view ſhall not be granted. In a writ of entry alſo that is abated becauſe the demandant miſnamed the entry, if he purchaſe another writ of entry, if the tenant had view in the firſt writ he ſhall not have it in the ſecond. In all writs alſo where lands be demanded by reaſon of a leaſe made by the demandant or his anceſtor unto the tenant and not to his anceſtor, as that which he leaſed to him being within age, not whole of mind, being in priſon, &c. view ſhall not be granted, but if the demiſe were made to his anceſtor, view ſhall lie as before. Caſes where view ſhall be granted.

II. *Eng. Stat.* de viſu ter. *incert. temp. ſect.* 1. View ſhall not be granted in a writ of ward, in a writ of cuſtoms and ſervices, in a writ of advowſon of a church, but in caſe when there be more churches than one in a town and all of one Saint, in a writ of dower, and in a *nuper obiit.* Writs of view.

Union of churches.

I. *Stat.* 2 *Geo.* 1. *cap.* 14. *ſect.* 1. It ſhall be lawful for the chief governors, with the aſſent of the major part of the privy council in council aſſembled, ſix at leaſt conſenting, and with the approbation of the archbiſhop of the province, and the biſhop of the diocеſe, certified under their hands and archiepiſcopal and epiſcopal ſeals, with the conſent of the reſpective patrons and incumbents certified under their hands and ſeals, atteſted by two credible witneſſes ſubſcribing thereunto, to divide old pariſhes, or ſeparate any pariſh or part of a pariſh of late united, and to unite pariſhes one to another, or part of a pariſh to another pariſh, or part of a pariſh in perpetuity, and to erect ſuch divided or united pariſhes or part of pariſhes into new pariſhes, with all parochial rights; and alſo to unite or appropriate any benefices, having actual cure of ſouls, to a dignity or prebend without cure, ſaving to the dean, dignitary, prebend, and incumbent at the time of ſuch union during their reſpective incumbency, and to their reſpective patrons and ordinaries, all their right to the ſaid united or appropriated benefices; and ſaving alſo all rights to the dean and chapter of each cathedral church, and to the prebendary of the prebend to which any benefice with cure of ſouls ſhall be united or appropriated. Union and diviſion of pariſhes.

II. *ſect.* 2. Provided that no dignitary or prebendary, to whoſe dignity or prebend ſuch benefice with cure of ſouls ſhall be united, ſhall be diſcharged of reſidence in the church united to ſuch dignity or prebend, but that they ſhall be obliged to ſuch reſidence as the incumbent of ſuch church with cure of ſouls was obliged to before the making of ſuch union, and ſhall alſo remain ſubject as a dignitary or prebendary of the ſaid cathedral church to all juriſdictions, duties and penalties, in like manner as the ſaid dignitary or prebendary was ſubject at the time of making ſuch union, and every thing that ſhall be good as if the ſame had been particularly recited and hereby enacted. No diſcharge of reſidence.

III. *ſect.* 5. Where two or more churches or pariſhes are united into one, and where any benefices ſhall be united to a dignity or prebend, having formerly had diſtinct patrons, in ſuch caſes, the lord lieutenant, lord deputy, or lords juſtices and Rights of patronage.

and council with the approbation of the reſpective archbiſhop and biſhop, in whoſe province and dioceſe the ſaid churches were ſituated, ſhall divide the patronage by turns among the patrons, giving to each of them a right to preſent oftner or ſeldomer according to the yearly value of the reſpective pariſhes whereof they are patrons, the conſent of each patron being firſt had, and entered in the inſtrument of erecting the ſaid union, and ſuch ſettlements ſhall be final and binding to all eccleſiaſtical or lay patrons and to all parties, reſerving always unto every archbiſhop and biſhop, regiſters and ſchoolmaſters, their reſpective dues payable out of every pariſh ſo united.

Preſentation of the King.

IV. *ſect.* 6. Provided that where the King ſhall be intitled to the preſentation of any of the pariſh churches ſo to be united, he ſhall immediately after ſuch union upon the firſt vacancy, have the firſt preſentation of an incumbent unto ſuch united church, and afterwards upon the next vacancy, the other reſpective patrons ſeverally, as the chief governors and council with the advice and approbation aforeſaid ſhall appoint, regard being had to the reſpective values of the ſeveral pariſhes ſo to be united, and ſo in courſe in manner aforeſaid.

Saving to patrons.

V. *ſect.* 7. No owner or proprietor of any rectory impropriate, having the patronage of the vicarage, ſhall by only preſenting in his turn a clerk to any union made by virtue of this act, be judged in law to diſappropriate his rectory, unleſs ſuch perſon making ſuch preſentation, ſhall by expreſs words contained therein, plainly ſignify his intent to make ſuch diſappropriation, and that ſuch preſentation be under the hand and ſeal of the patron ſo preſenting, atteſted by two credible perſons

Inrolment ſix months.

VI. *ſect.* 8. All ſuch unions, diviſions and appropriations to be made by virtue of this act, ſhall be inrolled in the rolls-office within ſix months after the making thereof, for the inrolment whereof the fee of thirteen ſhillings and four pence ſhall be paid, and every inſtrument under the hands of the chief governors and council, teſtifying ſuch union, diviſion or appropriation, ſhall contain in it a proviſoe, that the ſame ſhall be inrolled in ſix months after the date thereof, or elſe to be void.

Repair of chancels.

VII. *ſect.* 12. Wherever in any union to be made by virtue of this act, there ſhall be an impropriate or appropriate rectory within the ſame, the rector impropriator or poſſeſſor of which was before the making of ſuch union, obliged to repair the chancel, belonging to the pariſh church of the ſaid rectory, ſuch rector, impropriator or poſſeſſor, ſhall after during the continuance of ſuch union, be diſcharged from repairing of ſuch chancel, and ſhall in lieu of repairing the chancel of ſuch rectory, contribute a rateable proportion according to the value of the profits riſing out of ſuch rectories, for the repair of the new chancel of the united pariſhes, which rateable ſhare ſhall be adjuſted by conſent of all parties concerned in intereſt before ſuch union be made, or in caſe of failure therein, by the lord chancellor or lords commiſſioners of the great ſeal, and every other perſon who was obliged to repair the chancel of any of the other pariſh churches ſo united before ſuch union, ſhall be obliged to pay a rateable ſhare towards the repair of the new chancel.

Finding curates.

VIII. *ſect.* 13. In caſe ſuch pariſhes ſo appropriate or impropriate, ſhall be united purſuant to this act, to any other pariſh or pariſhes, the impropriator or poſſeſſor ſhall be diſcharged from finding a curate for ſuch pariſhes ſo united, and ſhall be only obliged to contribute his proportion rateably with the other pariſhes to which the ſaid impropriate or appropriate pariſh ſhall be united for the maintenance of the curate or miniſter of ſuch united pariſhes, which rateable ſhare ſhall be adjuſted by all parties concerned before the ſaid union be made as aforeſaid, or in caſe of failure thereof, by a decree of the court of chancery upon proper application thereto.

IX. *ſect.*

IX. *ſect.* 18. Whereas there may be occaſion hereafter for making acts of parliament for the uniting or diſuniting of particular pariſhes, or parts of pariſhes, or erecting particular churches, all ſuch acts of parliament for the aforeſaid purpoſes only, or any of them, ſhall be public and general acts, and no fees, ſhall be paid or taken by any perſons for paſſing any ſuch act of parliament. Fees for acts of parliament.

This act is made perpetual by Stat. 13 Geo. 2. cap. 4.

X. *Stat.* 10 *Geo.* 1. *cap.* 6. *ſect.* 1.. *Whereas divers dignities or prebends having actual cure of ſouls annexed are of very ſmall value, yet by an union with one or more benefices without cure, may be made a competent proviſion for the ſupport and ſervice of the cures annexed to ſuch dignities or prebends*; it ſhall be lawful for the chief governors with the approbation and conſent of ſuch perſons in ſuch manner and under ſuch ſavings and proviſoes as are in the act 2 *Geo.* 1. *cap.* 14 mentioned concerning the uniting or appropriating any benefices having actual cure of ſouls, to a dignity or prebend without cure, to unite or appropriate any benefices without cure of ſouls, to a dignity or prebend, having actual cure of ſouls annexed. Appropriating benefices.

XI. *ſect.* 4. In all unions to be made by virtue of the ſaid act 2 *Geo.* 1. or of this preſent act of any dignities or benefices, the patronage whereof ſhall be in the King, the conſent of the King his heirs or ſucceſſors, ſignified by letter under their royal ſign manual to the chief governors of this kingdom, to the making ſuch union, ſhall be as good and valid as if ſuch conſent were ſignified and declared under the great ſeal of this kingdom. Conſent of the King.

XII. *ſect.* 5. Provided the ſaid ſign manual be inrolled in chancery within ſix calendar months after the date thereof, for which a fee of three ſhillings and four pence ſhall be paid. Inrolment in ſix months.

This act is made perpetual, by Stat. 13 Geo. 2. cap. 4.

XIII. *Stat.* 1 *Geo.* 2. *cap.* 19. *ſect.* 1. Whereas in *an act for real union and diviſion of pariſhes* 2 *Geo.* 1. *cap.* 14. there is a clauſe in the following words, *viz.* Repeal of c[lause] in the act, 2G 1.

Provided that no union formerly made purſuant to the act made in the fourteenth and fifteenth years of the reign of King Charles the ſecond, of any pariſhes not lying within cities or towns corporate, ſhall be capable of being diſſolved, nor any of the ſaid united pariſhes or any part thereof, ſhall be liable to be united to or made part of any other united pariſh by virtue of this act, unleſs the pariſh church of ſuch united pariſh doth lie three country miles diſtant from ſome part of ſuch united pariſh, or that the church of ſuch united pariſh, ſhall not be large enough to contain the proteſtant pariſhioners uſually reſorting to ſuch pariſh church.

by reaſon of which clauſe, and of the uncertainty of the meaſure of three country miles therein mentioned, divers unions and diviſions of pariſhes, which otherwiſe would be highly convenient, are totally obſtructed; the ſaid clauſe is hereby repealed, and every ſuch united pariſh ſhall be ſubject to the like diviſion, and under the ſame conditions and limitations, as any other pariſh.

XIV. *Stat.* 9 *Geo.* 2. *cap.* 12. *ſect.* 1. Where any unions have been or ſhall be made *purſuant to Stat.* 2 *Geo.* 1. *cap.* 14. and a new pariſh erected from the death or removal of any incumbent enjoying any pariſh or part of a pariſh, ſo united to any other pariſh or part of a pariſh, conſtituting the new erected pariſh, whereby the pariſh or part of a pariſh, which ſuch incumbent ſo dying or removed held, is become part of the united and new erected pariſh, it ſhall be lawful for the patrons of ſuch united and new erected pariſh, who are intitled to preſent or collate to the firſt turn upon the Preſentation to a new erected pariſh.

the avoidance of such new erected parish, to present or collate his clerk to such new erected parish, by the name or description which such new erected parish is distinguished by, in the act of council establishing such union and erecting such parish, as if all the incumbents of such united parish were then dead or removed, and that such united parish was then intirely void; and upon such presentation and institution thereupon or collation, the clerk so presented and instituted or collated, shall be intitled to induction to the said united and new erected parish, as if all the incumbents were dead or removed, and may be inducted in such parish or part of a parish which shall be then void, without waiting for the death or removal of the other incumbents, and may perform all things for the qualifying or intitling himself to the said united parish, in any church or ruins of a church if any such there be, in that parish or part of a parish then become vacant; and in case there is no church or ruins of a church upon such parish or part of a parish so vacant, then in the old parish church of the parish from whence such part of a parish is taken, and such clerk so presented and instituted or collated, and also inducted, shall then enter upon the cure of souls, and take all such tithes or other profits in such vacant parish or part of a parish in as ample a manner as the former incumbent was intitled to have.

Right of the incumbent.

XV. *sect.* 2. Such clerk so presented and instituted or collated and inducted in pursuance of this act, into such new erected parish, upon the death or removal of the other incumbents of the other parishes or parts of a parish constituting such union, as they respectively become void, shall enter upon the cure of souls, and take such tithes and other profits as the former incumbents were intitled to in such parish or part of a parish, then become part of the united or new erected parish, and such clerk having performed all other things by law required, shall upon the death or removal of the said other incumbents, be full and lawful incumbent of all the united and new erected parish, without any new presentation and institution, collation or induction, and shall have the same title to the said united and new erected parish, and to all tithes, profits and perquisites thereunto belonging, in as ample manner as if such clerk had been separately presented and instituted or collated and inducted into the said parishes or parts of parishes, as they respectively become void, and as the former incumbents were intitled to.

Death or removal of incumbents.

XVI. *sect.* 3. In case of the death or removal of such clerk presented and instituted or collated in pursuance of this act, before the other parish or parts of a parish compleating the united or new erected parish shall become void, the patrons of such new erected parish, whose turn it is then to present or collate, may in like manner present or collate to the said united or new erected parish, and such clerk so presented and instituted or collated, and also inducted, shall enjoy the said new erected parish, or such parts of it as are then vacant, or that shall thereafter become vacant by the death or removal of the other incumbents, in the same manner as the former incumbents presented and instituted or collated and inducted by virtue of this act, might have enjoyed the same, and so as often as any part of the said new erected parish shall become void, and until all the several parishes or parts of parishes so united, shall become void and fallen into the new erected parish, so as to render the said union compleat; saving to the other incumbents of the parishes or parts of parishes so united and made part of the said new erected parish until the same shall become void, their several rights during their respective incumbences, as though no clerk had been presented and instituted or collated and inducted to such new erected parish.

XVII. *sect.*

XVII. *ſect.* 4. In caſe there is no church or ruins of a church, upon ſuch pariſh or part of a pariſh ſo become vacant, the perſon authorized to give induction, ſhall deliver a ſod or turf to ſuch clerk in the name of ſeiſin and poſſeſſion of the ſaid united and new erected pariſh, which is hereby declared to be a good induction. Induction of incumbents.

XVIII. *ſect.* 5. Upon the application of any incumbent of divided or united pariſhes, to the biſhop of the dioceſe in which ſuch divided or united pariſhes lie, ſuch biſhop is directed to inquire into the value of ſuch pariſhes or parts of pariſhes, as are ſeparated and divided from the old pariſh, and erected into the new pariſh, and to adjuſt the proportion of firſt-fruits, crown rent, port rent, penſions, procurations, ſynodals, and the ſalaries of the ſchool maſters, which the incumbent of ſuch old divided pariſh, and new erected pariſh is to pay, which adjudication being in writing, and ſigned and ſealed by the biſhop, and regiſtered in the regiſter book of the ſaid biſhop, ſhall be the proportion which the incumbent of ſuch new erected pariſh is to pay, and ſhall be binding and concluſive to the ſeveral incumbents of the ſaid divided and united pariſh and pariſhes, and to their ſucceſſors. Adjuſting firſt-fruits, &c.

XIX. *ſect.* 6. Such adjudication being made by the biſhop of the dioceſe in manner as aforeſaid, a certificate of ſo much thereof as relates to the proportion of firſt fruits, crown-rent, and port corn, wherewith the ſaid old divided pariſhes, and new erected pariſhes are to be charged by the ſaid adjudication, ſhall be returned by the biſhop of the dioceſe, under his epiſcopal ſeal into *the* exchequer, there to be filed on record, and the ſaid old divided pariſhes, and new erected pariſhes, ſhall be charged in all proceſs to be iſſued out of the ſaid court for firſt-fruits, crown-rent, and port-corn, according to the proportions certified as aforeſaid. Adjudications to be recorded.

XX. *ſect.* 7. After preſentation and inſtitution, or collation, and alſo induction of ſuch clerk to ſuch united pariſh, ſuch clerk or incumbent with the pariſhioners and inhabitants of ſuch pariſh, or parts of a pariſh, which ſhall be then vacant and become part of the ſaid united pariſh, ſhall proceed to the election and appointment of churchwardens and other pariſh officers, as they might have done if the other parts of ſuch united pariſh had become void, which churchwardens and other pariſh officers ſhall be elected and appointed in the uſual manner as in other pariſhes, till the other parts of ſuch united pariſh ſhall become void, and after ſuch avoidance the election and appointment of the churchwardens and other pariſh officers of the united pariſh, ſhall be in the ſame manner, and at the ſame time, and by the ſame perſons as is uſed and accuſtomed in the other pariſhes of the dioceſe, in which ſuch united or new erected pariſh is ſituate. Election of pariſh officers.

XXI. *Stat.* 21 *Geo.* 2. *cap.* 8. *ſect.* 1. *Whereas in many places, deans, archdeacons, dignitaries, prebendaries, and canons, of cathedral churches, have benefices appropriated, ſituated at great diſtances from ſuch deanery, dignity, or canonry, or from each other*; it ſhall be lawful for the chief governors, with the aſſent of the major part of the privy council in the council aſſembled, ſix at leaſt conſenting, and with the approbation of the archbiſhop of the province, and biſhop of the dioceſe, certified under their hands and archiepiſcopal and epiſcopal ſeals, and with the conſent of the King where he ſhall be patron, ſignified as herein after appointed, and with the conſent of all other patrons and of all incumbents certified under their hands and ſeals, and atteſted by credible witneſſes, to diſappropriate ſuch benefices, and to unite or appropriate any other pariſhes of the value at leaſt equal to ſuch diſappropriated benefices, and which lie contiguous or convenient to each other, to ſuch deanery, dignity, or canonry, and afterwards to unite ſuch diſappropriated benefices to ſuch other pariſhes, or ſuch other pariſhes to any of them, as lie convenient for ſuch an union, ſaving to all deans, deans and chapters, dignitaries and canons, and Exchange of benefices appropriate.

all incumbents at the time of ſuch union, appropriation or diſappropriation, during their reſpective incumbences, and to all patrons and ordinaries, their reſpective rights in the ſaid united, appropriated or diſappropriated benefices, and ſaving to every archbiſhop and biſhop, regiſter and ſchoolmaſter, their reſpective dues payable out of ſuch pariſh ſo united, ſaving alſo to all tenants who have leaſes of any glebes or tithes belonging to any part of ſuch union, appropriation or diſappropriation, all their right and intereſt during their reſpective leaſes.

Actual vacancy. XXII. *ſect.* 2. Provided, that ſuch union or appropriation as is before mentioned, ſhall not operate until ſuch time as ſuch deanery, dignitary, or canonry ſhall actually become vacant.

No diſcharge of reſidence. XXIII. *ſect.* 3. Provided alſo, that no dean, archdeacon, dignitary or canon, to whoſe deanery, dignity or canonry, ſuch pariſhes ſhall be united or appropriated, ſhall be diſcharged of reſidence in the church ſo united or appropriated, but ſhall be obliged to ſuch reſidence as the incumbent of ſuch church was obliged to before the making of ſuch appropriation or union, and ſhall alſo be ſubject as dean, dignitary or canon of the cathedral church to which they reſpectively belong, to all juriſdictions, duties or penalties, in like manner as the ſaid dean, dignitary or canon, was ſubject at the time of making ſuch union.

Inrollment in ſix months. XXIV. *ſect.* 4. Every ſuch union, appropriation or diſappropriation as ſhall be made by virtue of this act, ſhall be inrolled in the rolls office of the chancery within ſix months after the making thereof, for the inrollment whereof the fee of thirteen ſhillings and four pence ſhall be paid, and every inſtrument under the hands of the chief governors and council, teſtifying ſuch union, appropriation or diſappropriation, ſhall contain in it a proviſo, that the ſame ſhall be inrolled in ſix months after the date thereof, or elſe to be void.

Turns for preſentation. XXV. *ſect.* 5. Where any of the ſaid deaneries, &c. pariſhes or benefices to be united, have diſtinct patrons, and the King ſhall be intitled to the preſentation to any of them, in ſuch caſe his Majeſty ſhall after ſuch union upon the then firſt vacancy, have the firſt preſentation of an incumbent unto ſuch union, by the name by which it ſhall be called in the inſtrument erecting the ſame, and the chief governors and council, with the approbation of the archbiſhop of the province and biſhop of the dioceſe, certified as aforeſaid, ſhall divide and ſettle the patronage by turns afterwards among the ſeveral patrons, according to the yearly value of the reſpective pariſhes whereof they are patrons, the conſent of each patron being firſt had thereto, and entered in the inſtrument erecting the ſaid union, and ſuch ſettlement ſhall be final and binding to all eccleſiaſtical or lay patrons, and to all parties.

Conſent of the chief governors. XXVI. *ſect.* 13. Provided, that when the conſent of the King is to be given to the making of any union, appropriation or diſappropriation in purſuance of this act, the conſent of the chief governors of this kingdom under their hands and ſeals, to ſuch union, appropriation or diſappropriation, ſhall be as good as if the conſent of his Majeſty was thereunto ſignified by letters patent under the great ſeal.

Inrollment in 6 months. XXVII. *ſect.* 14. Provided, that ſuch conſent of the chief governors be inrolled in the rolls office in the chancery, within ſix months after the date thereof, for the inrollment whereof three ſhillings and four pence ſhall be paid.

Voucher.

Voucher to warranty. I. *Eng. Stat.* Marleber. 52 *Hen.* 3. *cap.* 27. None vouched to warranty before the juſtices in eyre in plea of land ſhall be amerced becauſe he was not preſent when he was vouched, except the firſt day of the coming of the juſtices; but if the party vouched

vouched be within the ſhire, the ſheriff ſhall be commanded to cauſe him to come within the third or fourth day, according to the diſtance of the place, as it was wont to be done; and if he dwell without the ſhire, he ſhall have reaſonable ſummons of fifteen days at leaſt.

Averments.

II. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 40. In writs of poſſeſſion, of *mortdanceſtor*, of coſinage, of *aiel*, *nuper obiit*, of intruſion, &c. whereby lands are demanded which ought to deſcend, revert, remain or eſcheat, by the death of any anceſtor, or otherwiſe, if the tenant vouch to warranty, and the demandant counterpleadeth him, and will aver by aſſiſe, or by the country, or otherwiſe as the court will award, that the tenant or his anceſtor was the firſt that entered after the death of him of whoſe ſeiſin he demandeth, the averment ſhall be received if the tenant will abide thereupon, and if not, he ſhall be further compelled to another anſwer, if he have not his warrantor preſent that will warrant him freely, and incontinent enter into the warranty; ſaving unto the demandant his exceptions againſt him, if he will vouch further, as he had againſt the firſt tenant. In all writs of entry which make mention of degrees, none ſhall vouch out of the line.

Writs of entry, &c.

(2) And in other writs of entry, where no mention is made of degrees (which writs ſhall not be maintained but where the other writs of degrees cannot lie) and in a writ of right if the tenant vouch to warranty, and the demandant will counterplead him, and be ready to aver by the country, that he that is vouched, nor his anceſtors, had never ſeiſin of the land, &c. ſince the time of him on whoſe ſeiſin the demandant declareth until the writ purchaſed, and the plea moved, whereby he might have infeoffed the tenant or his anceſtors, the averment ſhall be received if the tenant will abide thereupon; and if not the tenant ſhall further anſwer, if he be not preſent that will warrant him freely, and incontinent enter in anſwer; ſaving unto the demandant his exceptions againſt him, as againſt the firſt tenant; and the ſaid exception ſhall have place in a writ of *mortdanceſtor*, and in other writs before named, as well as in writs that concern right; and if the tenant have a deed that compriſeth warranty of another man, his recovery by a writ of warranty of charters ſhall be ſaved to him.

Writ of *venire facias*.

III. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 6. Like as the tenant ſhould loſe the land in demand in caſe where he vouched, and the vouchee could diſcharge himſelf of the warranty, in the ſame wiſe ſhall the warrantor loſe where he denieth his warranty, and it be found and tried againſt him that he is bound to warrantize; and if an inqueſt be depending between the tenant and warrantor, and the demandant will require a writ of *venire facias* to the jury, it ſhall be granted him.

Averment to be admitted.

IV. *Eng. Stat.* of vouchers, 20 *Edw.* 1. *ſt.* 1. *ſect.* 3. Where the tenant in a plea of land voucheth to warranty, and the demandant will aver, that he nor none of his anceſtors (ſince the time that the anceſtor of the demandant was ſeized) was in poſſeſſion of the lands, his averment ſhall be admitted, whether the party vouched be abſent or preſent.

Voucher.

V. *Eng. Stat.* 14 *Edw.* 3. *ſt.* 1. *cap.* 18. If the tenant vouch to warranty a dead man, and the demandants will aver that the vouchee is dead, or that there is none ſuch, their averment ſhall be received.

Uſes.

Eſtates in uſe &c. truſt.

I. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 1. *ſect.* 1. Where any perſons ſhall be ſeized of any honours, lands, or other hereditaments, to the uſe or truſt of any other perſons, all ſuch perſons that ſhall have any ſuch uſe or truſt, or any uſe or truſt in remainder

or reverter, ſhall be deemed in lawful ſeiſin and poſſeſſion of the ſame honors, lands, and hereditaments, of ſuch like eſtates as they ſhall have, in uſes, truſt, or confidence, in the ſame. And the eſtate and poſſeſſion that was in ſuch perſons that ſhall be ſeized of any lands to the uſe or truſt of any ſuch perſons, be adjudged to be in them that ſhall have ſuch uſe or truſt.

Intereſt to uſes or truſts.

II. *ſect.* 2. Where divers perſons ſhall be jointly ſeized of any lands or other hereditaments to the uſe or truſt of any of them, thoſe perſons which ſhall have any ſuch uſes or truſt, ſhall be adjudged to have only ſuch eſtate, poſſeſſion and ſeiſin, of the ſame lands, as they had before in the uſe, confidence, or truſt; ſaving to all perſons, other than thoſe which be ſeized to any uſe or truſt, all right.

Saving former rights.

III. *ſect.* 3. Alſo ſaving to all thoſe perſons which ſhall be ſeized to any uſe, all ſuch former right as they might have had to their own proper uſe, to any lands or hereditaments, whereof they ſhall be ſeiſed to any other uſe.

Seizin of lands or rents.

IV. *ſect.* 4, 5. Where divers perſons be ſeized of any lands, to the uſe that ſome other perſon ſhall have one annual rent out of the lands, the ſame perſon, their heirs and aſſigns that have ſuch uſe and intereſt, to have ſuch annual rents, *ſhall* be adjudged to be in poſſeſſion and ſeiſin of the ſame rent of ſuch like eſtate as they had in the uſe, and as if a ſufficient grant had been made to them by ſuch as were ſeized to the uſe of ſuch rent. And every ſuch perſon as ſhall have any uſe and intereſt, in or to any ſuch rent or profit, ſhall lawfully diſtrain for non-payment of the ſaid rent, and in their own names make advowries, or by their bailiffs or ſervants make recognizances and juſtifications, and have all other remedies as if the ſame rents had been actually granted to them.

Saving of intereſt.

V. *ſect.* 10. This act ſhall not extend to extinguiſh, releaſe, diſcharge or ſuſpend any ſtatute, recognizance, or other bond, by the execution of any eſtate in any lands, &c. *Eng. Stat.* 27 *Hen.* 8. *cap.* 10. *See* Truſts.

Uſury.

Intereſt for loan of money.

I. *Stat.* 5 *Geo.* 2. *cap.* 7. *ſect.* 1. No perſon upon any contract to be made after the firſt day of May, 1732, ſhall take directly or indirectly for loan of any monies, wares, merchandiſes, or other commodities, above the value of ſix pounds *per cent.* for the forbearance of one hundred pounds for a year, and ſo after that rate, for a greater or leſſer ſum, or for a longer or ſhorter time.

Bonds void.

(2) And all bonds and aſſurances made after the time aforeſaid for payment of any money to be lent, or covenant to be performed upon, or for any loan whereupon there ſhall be taken or reſerved above the rate of ſix pounds in the hundred, ſhall be void.

Penalty for uſurious contracts.

(3) And every perſon which ſhall, upon any contract to be made after the ſaid day, receive by means of any corrupt bargain, loan, exchange, cheviſance, ſhift or intereſt of any wares, merchandiſes, or other things, or by any covin or deceitful way, for the forbearing or giving day of payment for one whole year, of or for their money or other thing above ſix pounds, for one hundred pounds for a year, and ſo after that rate, ſhall forfeit for every ſuch offence the treble value of the monies, wares, merchandiſes, and other things ſo lent.

Scriveners and brokers.

II. *ſect.* 2. Every ſcrivener, broker and ſolicitor, who ſhall after the ſaid day take or receive, directly or indirectly, any money or other reward, or thing for brokage or procuring the loan, or forbearing of any money above the rate or value of five ſhillings, for procuring the loan, or forbearing of one hundred pounds for a year, and ſo rateably, or above twelve pence for making or renewing of the bond or bill concerning the ſame, ſhall forfeit for every ſuch offence twenty pounds, and ſuffer impriſonment for half a year, the one moiety of all which forfeitures to be to the

the King, and the other moiety to them that ſhall ſue for the ſame in any of his Majeſty's four courts in Dublin, by action, in which no eſſoign, &c. ſhall be allowed. *Eng. Stat.* 12 *Car.* 2. *cap.* 13.

Wager of law.

I. *Eng. Stat.* Mag. chart. 9 *Hen.* 3. *cap.* 28. No bailiff ſhall put any man to his law nor to an oath, upon bare ſaying without witneſſes brought in. Bailiffs.

II. *Eng. Stat.* 5 *Hen.* 4. *cap.* 8. To eſchew miſchiefs which be as well within London, as other places, of that that divers fained ſuits of debt have been taken by the people of the ſaid places againſt divers people, ſurmiſing that they have accounted before auditors aſſigned, of divers receipts, duties, and contracts had betwixt them, and that they were found in arrearages upon the account in divers great ſums, where there was never receipt nor duty betwixt ſuch parties, to the intent to make them, againſt whom ſuch ſuits were taken, to put them in inqueſt, and to put them from the waging of their law, the judges before whom ſuch actions ſhall be ſued in cities and boroughs, ſhall have power to examine the attornies and other, and thereupon to receive the defendants to their law, or to try the ſame by inqueſt, after the diſcretion of the judges. Feigned ſuits.

Warrants of attorney.

I. *Eng. Stat.* 18 *Hen.* 6. *cap.* 9. The act 10 *Hen.* 6. *cap.* 4. in *appearance*, ſhall endure for ever, and no officer ſhall do the contrary upon pain of 40s. every time that he ſhall be attainted by examination before the juſtices; and every attorney who hath not his warrant entered of record in all his ſuits, in which proceſs of *capias* and *exigent* is awardable, the ſame term in which the *exigent* is awarded or before, and thereupon attainted by like examination, ſhall incur the pain aforeſaid. The act, 10 H. 6. made perpetual.

See Tit. **Arreſts, Attorneys.**

Warrants.

I. *Eng. Stat.* de bigam. 4 *Edw.* 1. *ſtat.* 3. *cap.* 6. In deeds where it is contained *dedi et conceſſi tale tenementum*, to be holden of the donors and their heirs by certain ſervices, the donor and his heirs ſhall be bound to warranty; and where it is contained *dedi & conceſſi*, &c. to be holden of the chief lords, or of others than the feoffors, no ſervice being reſerved, and without clauſe of warranty, the heirs ſhall not be bound to warranty, but the feoffor in his life only by reaſon of his own gift ſhall be bound to warranty. Donors bound to warranty.

II. *Stat.* 6 *Ann. cap.* 10. *ſect.* 19. All warranties made by any tenant for life of any hereditaments, the ſame coming to any perſon in reverſion or remainder, ſhall be void; and all collateral warranties made of any hereditament by any anceſtor who has no eſtate of inheritance in poſſeſſion in the ſame, ſhall be void againſt his heir. *Eng. Stat.* 4 *Ann. cap.* 16. *ſect.* 21. Tenants for life.

By this act the ſtatute of Glouceſter, cap. 3. *ſeems to be ſuperſeded, and therefore it is omitted.* *See Tit.* **Voucher.**

Waſte.

I. *Eng. Stat.* Marleb. 52 *Hen.* 3. *cap.* 24. Farmers during their terms ſhall not make waſte, ſale nor exile, of houſes, woods, nor of any thing belonging to the tenements, Farmers not to commit waſte.

ments, without licence had by writing of covenant; which if they do, and thereof be convict, they ſhall yield damages, and ſhall be puniſhed by amercement grievouſly.

Writ of waſte. II. *Eng. Stat.* Glouc. 6 *Edw.* 1. *cap.* 5. A man ſhall have a writ of waſte againſt him that holdeth by the law of England, or otherwiſe for term of life or of years, or a woman that holdeth by dower; and he that is attainted of waſte ſhall loſe the thing waſted, and ſhall recompenſe thrice ſo much as the waſte ſhall be taxed at.

No prohibition. III. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 14. Of waſte done to the damage of any perſon, there ſhall be no writ of prohibition but of ſummons, ſo that he of whom complaint is ſhall anſwer for waſte done at any time, and if he come not after the ſummons he ſhall be attached, and after the attachment he ſhall be diſtrained, and if he come not after the diſtreſs, the ſheriff ſhall be commanded that in proper perſon he take with him twelve, &c. and go to the place waſted, and inquire of the waſte done, and return the inquiſition, and after the inquiſition returned they ſhall paſs unto judgment, as in the ſtatute of Glouceſt. cap. 5.

Tenants in common. IV. *Eng. Stat.* Weſtm. 2. 13 *Edw.* 1. *cap.* 22. Where two or more hold wood, turf-land, or fiſhing in common, and ſome of them do waſte, an action may lie by writ of waſte, and when it is paſſed unto judgment, the defendant ſhall chooſe either to take his part in a place certain by aſſignment of the ſheriff and by the view and oath of his neighbours, or elſe he ſhall grant to take nothing in the ſame wood, turf-land, &c. but as his fellows will; and if he chooſe to take his part in a place certain, the place waſted ſhall be aſſigned for his part.

Writ of waſte againſt tenants V. *Eng. Stat.* 11 *Hen.* 6. *cap.* 5. Where people let their lands, and the tenants have granted their eſtate, and afterwards the firſt tenants continually occupy the lands, and in the ſaid lands do waſte and deſtruction, they in the reverſion may have a writ of waſte againſt the tenants for life or years, where the firſt tenants before the grant of their eſtates were puniſhable of waſte, and where after the grant the firſt tenants take the profits at the time of the waſte done.

Watch and Ward.

Appointing watchmen, &c. I. *Stat.* 6 *Geo.* 1. *cap.* 10. *ſect.* 1, It ſhall be lawful for the juſtices of the peace and grand-juries of the reſpective counties at the general quarter-ſeſſions, and within manors or liberties for the ſeneſchal and jury of the leet, to appoint the number of watch-houſes which ſhall be erected within their reſpective counties or liberties, the places where the ſame ſhall be kept, and what diſtrict or proportion of the pariſhes or liberties adjoining to ſuch watch-houſes, ſhall contribute to the building, repairing and keeping ſuch watch-houſes, and keeping ſuch watch therein; as alſo to aſcertain and provide a ſufficient number of watch-bills, ſtaves and halberts for arming the watch, and neceſſary fire and candles, to be provided and paid for by the ſaid pariſhes or liberties reſpectively, and all money raiſed for the ſaid purpoſes, ſhall be paid into the hands of ſuch perſons as ſhall by ſuch preſentment be appointed overſeers of the ſaid work, who are required to lay out the ſame to the uſes herein expreſſed, and to no other uſe, and to render an account thereof upon oath at the next general aſſiſes or quarter-ſeſſions, or court-leet to be held for ſuch county, liberty or manor reſpectively, where the ſaid work is done.

Juſtices and magiſtrates. II. *ſect.* 2. So many of the inhabitants within the reſpective pariſhes, as any one or more of the juſtices of the peace inhabiting within or next to the ſeveral pariſhes ſhall direct, and within corporations ſo many as the chief magiſtrate, and within

within manors or liberties ſo many as the ſeneſchals ſhall limit, ſhall be the ſettled and eſtabliſhed watches for the ſaid pariſhes, or parts of pariſhes, liberties or manors reſpectively, to watch every night from the twenty ninth day of September to the twenty fifth day of March, or to begin earlier and to continue longer, as the juſtices or chief magiſtrate, or ſeneſchals reſpectively ſhall direct.

Suſpected perſons.

(2) Which watchmen are impowered to ſtop and examine all ſuſpected perſons, and where they find any who ſhall not give a good account of themſelves, to arreſt and keep ſuch perſons in cuſtody till the next day, and them to carry before the next juſtice of the peace to be dealt with according to law.

Building watch-houſes.

III. *ſect.* 3. Where it ſhall be found expedient that watches ſhould be kept on the confines of ſeveral pariſhes, it ſhall be lawful for the grand-juries of the ſeveral counties, counties of cities and towns at the general quarter-ſeſſion, and within liberties or manors by the jury of the leet, by preſentment to direct the building of watch-houſes on ſuch confines, and likewiſe for the juſtices of the peace inhabiting in or next to the ſaid reſpective pariſhes, to order and appoint the number of the inhabitants of the ſeveral pariſhes, which ſhall be the ſettled watch to be kept on the confines of the ſaid ſeveral pariſhes, to attend the ſaid watch in their turn as is herein directed, and under the ſame forfeitures and penalties as are herein inflicted on ſuch perſons as ſhall neglect or refuſe to watch in their turn.

Liſts of inhabitants.

IV. *ſect.* 4. Every inhabitant within the ſeveral pariſhes liable to the payment of hearth-money, and who by law ought to watch in the counties, liberties or manors wherein they reſide, ſhall in their turns by himſelf, or ſome ſufficient perſon to be ſent by him, keep watch and ward in the pariſh, liberty or manor wherein they ſhall inhabit, and the conſtable or conſtables of every pariſh and conſtablewick, ſhall at the Eaſter general quarter-ſeſſions, and within liberties or manors at the Eaſter leet in every year, make and return upon oath a perfect liſt of all ſuch inhabitants as aforeſaid within the ſeveral pariſhes and conſtablewick;

Neglecting to keep watch.

(2) Which perſons ſo returned ſhall keep watch and ward according to the intention of this act, for one year enſuing from the date of ſuch preſentments, in ſuch order as the ſaid perſons are named in the ſaid preſentments; and any perſon ſo named refuſing or neglecting to appear at the ſaid watch, or who ſhall neglect or refuſe to continue on ſuch watch during ſuch time every night, as by the juſtices at the quarter-ſeſſions, and within corporations by the chief magiſtrate, or within liberties by the ſeneſchals reſpectively, ſhall be appointed, or who ſhall not ſend ſome other ſufficient perſon in his or her ſtead to continue for the time aforeſaid, ſhall forfeit twelve pence, to be levied of his or her goods, by warrant from ſuch juſtice of the peace, chief magiſtrate, or ſeneſchal, before whom ſuch default ſhall be made appear; and in default thereof to be committed to the ſtocks, for any time not exceeding twelve hours.

Conſtables neglecting.

V. *ſect.* 5. If any conſtable impowered to make ſuch return, ſhall neglect to make the ſame at the time aforeſaid, or ſhall not make a full and true return of the ſeveral inhabitants paying hearth-money, and liable by law to watch in ſuch pariſhes, liberties or manors, every conſtable neglecting to make ſuch return, ſhall forfeit five pounds; and in caſe any conſtable making ſuch return, ſhall wilfully omit to return the names of any inhabitants within ſuch pariſh or conſtablewick, liberty or manor liable to watch according to the intent of this act, ſuch conſtables ſhall forfeit ten ſhillings for every ſuch inhabitant whoſe name ſhall be ſo omitted, the ſaid penalties to be recovered by any perſons who ſhall ſue for the ſame by petition in the nature of a civil bill before the judges of aſſiſe for the ſeveral counties, and in the county of the city of Dublin, and county of Dublin, before the juſtices of the peace at the quarter-ſeſſions, where ſuch pariſhes, liberties or manors reſpectively

reſpectively lie, who are impowered finally to determine the ſame, and to award execution thereon in like manner as executions iſſue upon decrees obtained upon civil bills.

Proclamation by the chief governors.

(2) And whenever it ſhall ſeem neceſſary to the lord lieutenant, or other chief governors of this kingdom, that the pariſh watches ſhall be kept in the ſeveral pariſhes by proteſtant watchmen only, it ſhall be lawful for the lord lieutenant, or other chief governors and council, to iſſue out a proclamation, requiring all juſtices of the peace, chief magiſtrates or ſeneſchals, to iſſue out their warrants to the ſeveral high and petty conſtables, requiring them to ſettle proteſtants, and none other to be watchmen in their ſeveral pariſhes, and as often as it ſhall come to the turn of the papiſts, other than as aforeſaid to watch, ſuch papiſts ſhall provide proteſtants, to be approved of by one or more juſtices of the peace reſiding within ſuch pariſh, and in caſe there be no ſuch juſtice reſident within the pariſh, then to be approved of by the next juſtice of the peace, to watch in their turn, and for default thereof, the ſaid juſtices are required to appoint proteſtants to ſerve in the ſtead of ſuch papiſts, and to iſſue their warrants for the levying by diſtreſs and ſale of the goods of ſuch papiſts, in whoſe turns ſuch proteſtants ſhall ſerve, twelve pence for each night, to be paid to ſuch proteſtant as ſhall watch in the turn of ſuch papiſt; and in caſe ſuch proteſtants ſo appointed by ſuch juſtices, ſhall neglect to watch according to ſuch appointment, or to find proteſtants to ſerve in their ſtead, they ſhall incur the ſame penalties herein before inflicted on perſons who neglect to watch in their turn.

Proteſtant watch-men.

General iſſue.

VI. *ſect.* 6. If any ſuit ſhall be proſecuted againſt any perſons for what they ſhall do in purſuance of this act, ſuch perſons may plead the general iſſue, &c. and if the proſecutor ſhall become non-ſuit, or forbear further proſecution, or ſuffer a diſcontinuance, or if a verdict ſhall paſs againſt him, the defendants ſhall recover double coſts.

This act ſo far as the ſame relates to any counties, cities and places, other than the city of Dublin and liberties adjoining, is made perpetual by Stat. 10 Geo. 1. cap. 3.

Water.

Flax or hides in running water.

I. *Stat.* 11 *Eliz. ſeſſ.* 3. *cap.* 5. *ſect.* 1. No perſon ſhall lay into any river, ſtream, broak, or other freſh running water, any hemp or flax, or any hides *with lime* bound *up in them*, to be watered and ſeaſoned, upon pain to forfeit hemp, flax, and hides ſo laid contrary to this act, or of the treble value of the ſame, the one half of which forfeiture to be to the Queen, her heirs and ſucceſſors, and the other half to ſuch as ſhall find or preſent the default, and ſuch as ſhall be intitled to the ſaid forfeiture, ſhall have an action of debt or detinue for the ſame by writ, bill, plaint or information in any of the Queen's courts, in which no eſſoign, &c. ſhall be allowed.

Inquiry of offences.

II. *ſect.* 2. The juſtices of the peace in every ſhire, city and town-corporate within limits of their commiſſion, ſhall have power to inquire and determine every offence committed contrary to this act, as well by information as by preſentment afore them, and to make ſuch proceſs upon every preſentment as they commonly do upon indictments of treſpaſs.

Forfeitures ſaved.

III. *ſect.* 3. Provided alway that this act be not in any wiſe prejudicial to any lords, or other bodies politic or incorporate having liberties, or any of them, their heirs or ſucceſſors, concerning any of the forfeitures expreſſed in this act, but that they ſhall have the forfeitures that ſhall happen by the penalties herein expreſſed, in the ſame manner as they might have had other forfeitures and penalties, by their ſeveral charters and titles falling within their ſeveral franchiſes and juriſdictions afore the making of this act.

IV. *ſect.*

Water.

IV. *ſect.* 4. All mayors, bailiffs, ſheriffs, and all other head officers, ſhall four times in the year, that is to ſay every quarter once, make open proclamation of this act in every market to be holden within their ſeveral juriſdictions; and alſo the juſtices of gaol delivery, aſſiſes and juſtices of peace, *ſhall* cauſe the ſame to be proclaimed in their ſeveral circuits ſeſſions before them holden. Proclamation in markets.

Wax.

I. *Eng. Stat.* 11 *Hen.* 6. *cap.* 12. No perſon ſhall ſell, nor put to ſale any candles, images, figures, and other works of wax at higher price, but only after the rate of three pence more in the weight of a pound, over that the common price of a pound of plain wax, is between merchant and merchant at the time of ſuch ſale, upon pain to forfeit ſuch candles, and other works of wax ſo put to ſale, and the value of them that ſhall be ſold againſt the form of this ſtatute, and to make a fine to the King, if they be thereof duly attainted, or that it be found by examination, or due ſearch by weights, or in other manner, that they have ſold or put to ſale any ſuch candles or other works of wax againſt the form of this ſtatute. Prices of wax-works.

(2) And the juſtices of peace in every county, ſhall have power to inquire and determine all things done againſt this ſtatute; and as well every juſtice of peace in the county where he is juſtice, as mayor and bailiffs within the cities and boroughs, ſtewards of lords within franchiſes, ſhall have authority to examine and ſearch as well by weights of ſuch candles, and other works of wax, as in other manner, all them that any thing ſhall do againſt this ſtatute, and to puniſh them that by ſuch examination or ſearch ſhall be found guilty in the form aboveſaid; provided that this ſtatute do not extend to hearſes to be made for nobles that die. Juſtices to inquire.

Wears.

I. *Stat.* 28 *Hen.* 8. *cap.* 22. *ſect.* 1. Where at all times neceſſary boats, wherries, and other veſſels laden with goods, and other ſtuff have been uſed to paſs and repaſs through the rivers of the Barrow, the Noyre, the Suyr, and the Rie, which Rie is in the county of Kilkenny, to and from the city of Waterford, and the towns of Kilkenny, Roſs and Clonmel, to and from divers boroughs and corporate towns, and other places ſituated in the counties of Kildare, Catherlagh, Wexford, Kilkenny, Waterford and Tipperary, it ſhall be lawful for every of the King's ſubjects going in company with any ſheriff or ſeneſchal of any county aforenamed, to proſtrate and break all wears, purpreſtures, engines, ſtreights, and other like obſtacle, made or hereafter to be made in any of the ſaid rivers or waters; and alſo a convenient gap or place where boats and other veſſels may paſs and repaſs through every mill-pond, in any of the ſaid rivers. And if any perſons do reſiſt or make any defence for the proſtrating and breaking of the ſaid wears purpreſtures, and other like obſtacles and mill-ponds as is aforeſaid; every ſuch perſon ſhall forfeit five pounds, the one moiety thereof to the King, and the other moiety to the party that will ſue for the ſame in any the King's courts. Breaking weirs. Paſſage for boats.

II. *ſect* 2. The ſheriff of any county, and the ſeneſchal of any liberty, wherein any ſuch wears, purpreſtures, and other like obſtacles in any of the ſaid rivers is made, or where there ſhall be any mill-pond whereof there ſhall be no gap as is aforeſaid, after knowledge thereof had by report, complaint, inquiry or otherwiſe, ſhall calling and taking with him, if he be ſheriff, the power of the county, and if he be ſeneſchal, the power of the liberty, go in proper perſon to every ſuch place where any wear, purpreſture, or other like obſtacle in any of the ſaid rivers ſhall be made, or where there ſhall be any mill-pond whereof there ſhall be any gap broken, Power of the county.

broken as is aforeſaid; and the ſame proſtrate and break in manner as is aforeſaid, upon pain to every ſuch ſheriff and ſeneſchal, as often as they ſhall ſo offend, or refuſe to proſtrate and break any of the ſaid wears, and other like obſtacles and gaps in any ſuch mill-pond, of ten pound, the one half thereof to the King, and the other half to the party that will ſue for the ſame in any of the King's courts.

Refuſing aid.

(2) And if any perſon dwelling within any ſuch county do refuſe, and will not go in aid of the ſheriff; and if any perſon dwelling within any ſuch liberty do refuſe, and will not go in aid of the ſeneſchal of the ſame, for the proſtrating and breaking any of the ſaid mill-ponds, wears, and other like obſtacles in any of the ſaid rivers in manner as is aforeſaid, being lawfully ſummoned and warned for the ſame, for every ſuch time ſhall forfeit ten ſhillings, the one half thereof to the King, and the other half to any ſuch ſheriff or ſeneſchal that will ſue for the ſame in any the King's courts.

Repairing wears.

III. *Stat.* 5 *Geo.* 2. *cap.* 11. *ſect.* 2. If any perſon ſhall repair or cauſe to be repaired any wear, purpreſture, engine, ſtreight, or other like obſtacle, which ſhall be broken down or removed by authority of the ſtatute 28 *Hen.* 8. *cap.* 22. every perſon ſo offending, ſhall, for the firſt offence forfeit fifty pounds, and for the ſecond and every other offence reſpectively, one hundred pounds, to be recovered in any of the King's courts, wherein no eſſoign, &c. ſhall be allowed, the one moiety to the uſe of the King, and the other moiety to the party that will ſue for the ſame.

General iſſue.

IV. *ſect.* 3. If any perſon ſhall be ſued or proſecuted for any thing which they ſhall do in purſuance of the ſaid act, it ſhall be lawful for the perſons ſo ſued to plead the general iſſue, &c and if a verdict ſhall be given for the defendants in ſuch action, or the plaintiffs become nonſuit, or ſuffer any diſcontinuance thereof, ſuch defendants ſhall have their treble coſts.

Fiſhing in rivers.

V. *ſect.* 4. This act ſhall not extend to prevent any fiſhermen, or his apprentices lawfully authorized, from fiſhing in navigable rivers or waters with lawful nets and engines, but that every of them may, according to the laws and orders made for the good order and government of ſuch navigable rivers and waters, uſe the trade of fiſhing, as they might have done before the making of this act.

Weights and meaſures.

Peny-weight.

I. *Eng. Stat.* Ordin. for meaſures, 31 *Edw.* 1. An Engliſh peny, called a ſterling, ſhall weigh thirty two wheat corns in the midſt of the ear, and twenty pence make an ounce, and twelve ounces a pound, and eight pounds make a gallon of wine, and eight gallons a London buſhel, which is the eighth part of a quarter.

Meaſures of inch, &c.

II. *Eng. Stat.* Compoſitio ulnar. et pert. *incert. temp.* Three grains of barley dry and round make an inch, twelve inches a foot, three feet a yard, five yards and a half make a perch, and forty perches and four in breadth make an acre. From Raſtal's abridgement.

Acre of land.

III. *Eng. Stat.* Ordin. for meaſuring land. 33 *Edw.* 1. *ſt.* 6. When an acre of land containeth ten perches in length, it ſhall be in breadth ſixteen perches.

Meaſures of gallon, &c.

IV. *Stat.* 7 *Will.* 3. *cap.* 24. *ſect.* 1. One and the ſame meaſure ſhall be uſed throughout this kingdom; and the meaſures to be henceforth uſed, ſhall contain as herein after is appointed, and no otherwiſe, that is to ſay, the peck ſhall contain two gallons, the buſhel ſhall contain eight gallons, the half barrel ſhall contain ſixteen gallons, and the barrel ſhall contain thirty two gallons, the ſaid gallon to contain

contain two hundred ſeventy two cubical inches, and one fourth part of a cubical inch.

V. *ſect.* 2. There ſhall be provided at his Majeſty's charge one barrel, one half barrel, one buſhel, one peck, and one gallon, according to the aboveſaid meaſure; which ſhall be the ſtandards for the meaſures throughout Ireland; and the ſaid ſtandards being marked with the Crown and letters of his Majeſty's name, ſhall be placed and ſafely kept in his Majeſty's exchequer, in the cuſtody of the lord treaſurer, or of the vice treaſurer or deputies. Standards for meaſures.

VI. *Stat.* 10 *Will.* 3. *cap.* 2. *ſect.* 3. All goods and merchandiſes of the growth and manufacture of this kingdom uſually ſold by the hundred weight, ſhall be bought and ſold at five ſcore and twelve pounds to the hundred weight, and no more, upon pain of forfeiture of ten ſhillings for buying and ſelling any goods contrary to this act. Hundred weight.

VII. *ſect.* 5. Provided that no perſon ſhall be proſecuted for any offence againſt this ſtatute, unleſs the ſame be proved or proſecuted within three months after the offence committed. Proſecution in three months.

VIII. *Stat.* 2 *Ann. cap.* 17. The penalty mentioned in the act 7 *Will.* 3. *cap.* 24. ſhall in no caſe be inflicted on the ſeller, but on the buyer; and in caſe any baker, malſter, or dealer in corn, ſhall employ any indigent and inſolvent perſons, who ſhall not be able to anſwer the penalty of the ſaid act, to buy, receive or meaſure any corn or grain for them by any other meaſure than as is expreſſed by the ſaid act, the parties employing ſuch receiver, buyer or meaſurer ſhall be liable to the penalty mentioned in the aforeſaid act. Penalty on the buyer only.

IX. *Stat.* 4 *Ann. cap.* 14. *ſect.* 1. There ſhall be one weight throughout this kingdom for the weighing of all ſorts of merchandiſes between buyer and ſeller, and the ſame ſhall be according to the pound of avoirdupois weight, except the weighing of bread, gold, ſilver, and druggiſts and apothecaries wares; and all merchandiſes ſhall be weighed by balance, ſo that the tongue of the balance be even without bowing to one ſide or the other, or by putting hand or foot, or touch or diſorder the ſame. Avoirdupois weight.

X. *ſect.* 2. There ſhall be provided at her Majeſty's charge a ſet of juſt weights, that is to ſay, one ounce, pound, four pound, ſeven pound, fourteen pound, twenty eight pound, and one half hundred weight or fifty ſix pounds: all which weights are to be made and ſized according to the true avoirdupois weight made of braſs, and be marked with the letters *A. R.* with the Crown over them, and ſhall be lodged in her Majeſty's exchequer in the cuſtody of the lord treaſurer, or of the vice-treaſurer or deputies, there to remain as the ſtandard weights for this kingdom. Standard weights.

(2) There ſhall be alſo provided in every city and town that are counties of themſelves, at the charge of the ſaid cities and towns, and alſo in every county at the charge of the ſaid counties, a ſet of juſt weights made of braſs, and tried, ſized, and made equal with the weights aforeſaid remaining in her Majeſty's court of exchequer, and ſhall be ſealed by the officer in whoſe cuſtody the ſaid ſtandard weights do remain, with the ſame ſeal wherewith the ſaid ſtandard weights are ſealed, for the ſealing and trying each weight, there ſhall be paid to the ſaid officer one peny, which ſeveral weights ſhall remain in the cuſtody of the mayor in each city and town that are counties by themſelves to be the ſtandard weights, by which all the weights in the ſaid cities and towns are to be tried and regulated; Weights in cities and counties.

(3) And in counties at large the ſaid weights are to remain in ſuch town in each county as hereafter appointed, that is to ſay, in Dundalk, Trim, Mullingar, Cavan, Ardmagh, Monaghan, Down-Patrick, Carrickfergus, Omagh, Londonderry, Lifford, Inniſkillin, Carloe, Ennis, Cork, Gallway, Tralee, Naas, Kilkenny, Philipſtown, Carrick Places for keeping weights.

Carrickdrumroſt, Limerick, Longford, Ballinrobe, Maryborough, Roſcommon, Sligoe, Clonmell, Waterford, Wexford, Wicklow, in the cuſtody of the chief magiſtrate of the ſaid towns reſpectively, to be the ſtandard weights by which all the weights in the ſaid counties are to be tried and regulated.

Weigh maſters.

XI. *ſect.* 3. There ſhall be appointed in every city, borough and market-town by the chief magiſtrate, except in places where the toll and cuſtoms do belong to any other perſon, and in ſuch caſe by the perſons to whom the toll and cuſtoms do belong, one weigh-maſter, who ſhall be ſworn juſtly and indifferently to weigh all goods brought unto him between buyer and ſeller, for the doing whereof he may take for every draught weighing under a hundred weight a half-peny, and for every draught weighing one hundred pounds or upwards, one peny.

Balance with ſcales, &c.

XII. *ſect.* 4. There ſhall be alſo provided at the charge of each city, borough or market-town, or by the perſons to whom the toll and cuſtoms do belong, one true balance or iron beam, with ſcales and weights ſufficient and convenient for weighing of all goods between buyer and ſeller, or between party and party, which are to be under the care and cuſtody of the weigh-maſters appointed as aforeſaid; and all ſuch weights as ſhall be ſo provided and made uſe of as aforeſaid for weighing of goods, wares and merchandizes ſhall be tried and made equal with the braſs ſtandard weights aforeſaid in every ſuch city and town that are counties of themſelves, and in every county at large, and ſhall be ſealed with the letters *A. R.* and the Crown as aforeſaid.

Neglecting to provide ſcales, &c.

XIII. *ſect.* 5. In caſe the mayor for the time being of any city and town that is a county of itſelf, ſhall neglect to provide a ſet of braſs ſtandard weights, or ſhall neglect to appoint and ſwear a weigh-maſter, or ſhall neglect to provide a true balance or beam with ſcales and weights ſufficient and convenient for the weighing of goods between buyer and ſeller, every ſuch mayor or other perſon as aforeſaid, ſhall forfeit for every month that any of the particulars aforeſaid ſhall be wanting, forty ſhillings; the one half to be to the poor of the pariſh of the city or town where ſuch forfeiture ſhall happen, the other half to ſuch perſon as ſhall inform and proſecute for the ſame as herein after directed; and in caſe there ſhall not be a ſet of braſs ſtandard weights provided in each county at large in this kingdom in manner aforeſaid, the juſtices of aſſiſe at every aſſiſes, and the juſtices of the peace at their quarter-ſeſſions ſhall inquire thereof, and ſhall fine the ſaid county in any ſum not exceeding five pounds, and eſtreat the ſame into her Majeſty's court of exchequer, and ſo continue every aſſiſes and ſeſſions until the ſaid weights ſhall be provided.

Magiſtrates and owners of tolls.

(2) In caſe the chief magiſtrate of any borough or market town, or the perſons to whom the toll and cuſtoms of any market-town, not being a corporation, doth belong, ſhall neglect to appoint and ſwear a weigh-maſter, or ſhall neglect to provide a true balance or beam with ſcales and weights ſufficient for the weighing of all goods, every ſuch chief magiſtrate of any borough or market-town being a corporation, or the perſons to whom the toll or cuſtoms of any market-town, being or not being a corporation of itſelf, doth belong, ſhall forfeit forty ſhillings for every month that any of the particulars aforeſaid ſhall be wanting; the one half to be to the poor of the pariſh, and the other half to the perſons that ſhall inform of, and proſecute the ſame in manner as is hereafter directed; the mayor of every city or town in this kingdom, being counties of themſelves, and the chief magiſtrate of every borough and market-town, or the perſons that receive the tolls and cuſtoms of any market-town as aforeſaid, ſhall on the death or removal of any weigh-maſter appoint and ſwear another in the place, and ſhall from time to time for ever maintain and preſerve a common balance or beam, and weights ſufficient

in

n manner aforeſaid, on pain of forfeiting forty ſhillings for every month any of the ſaid particulars ſhall be wanting, which forfeiture ſhall be diſpoſed in manner as hereafter is directed.

XIV. *ſect.* 6. No merchants, weigh-maſter, trader or dealer, ſhall keep or uſe any weights, for weighing of goods bought or ſold, but ſuch as ſhould be juſtly ſized, tried, and equal with the ſtandard weights aforeſaid, and ſealed by the proper officer in whoſe cuſtody the ſtandard weights of each county ſhall remain, on pain of forfeiting forty ſhillings for every ſuch offence. Un ſtampt weights.

XV. *ſect.* 7. Nothing in this act contained ſhall be conſtrued to hinder any merchant, trader or dealer from weighing all ſuch goods as he ſhall buy or ſell with his own weights, the balance being true, and the weights being juſtly ſized and equal with the ſtandard aforeſaid, and ſealed with the ſeal aforeſaid, by the proper officer in whoſe cuſtody the ſtandard weights in each county remain. Merchants may uſe their own ſcales.

XVI. *ſect.* 8. It ſhall be lawful for the juſtices of the aſſiſe in their circuits, and the juſtices of the peace in their quarter-ſeſſions, to inquire after all offences againſt this act, and determine the ſame, and to iſſue their reſpective warrants for levying the forfeitures and penalties in this act mentioned, to be diſpoſed of, the one moiety to the poor of the pariſh, and the other moiety to ſuch perſon as ſhall inform or proſecute for the ſame. Inquiry after offences.

XVII. *ſect.* 9. No perſons whatſoever ſhall act as weigh-maſters, or at any time execute the ſaid office before he doth take the oaths, and ſubſcribe the declaration mentioned in the act of parliament made in England in the third year of the reign of King William and Queen Mary, *for the abrogating the oath of ſupremacy in Ireland, and appointing other oaths*; which oaths the reſpective magiſtrates of every city, borough or market-town in this kingdom, or where there is no magiſtrate, the next juſtice of the peace is authorized to adminiſter. Oaths to be taken by weigh-maſters.

XVIII. *Stat.* 11 *Geo.* 2. *cap.* 11. *ſect.* 5. For the more eaſy weighing of corn in in the city of Dublin, and other principal cities and towns, the chief magiſtrate of the city of Dublin, ſhall at the expence of the ſaid city, erect four ſufficient beams with proper ſcales thereunto, and a competent ſet of weights made of iron and ſealed by the proper officer, for weighing corn in convenient places within the corn markets of the ſaid city; and fix more ſuch beams, ſcales and weights on Aſton's-Quay for weighing all ſorts of corn, and keep the ſame in ſufficient repair for weighing with, for the uſe of which no greater prices ſhall be paid than in this act are appointed; and if ſuch chief magiſtrate of the city of Dublin, ſhall not provide the ſaid beams, ſcales and weights, and ſhall not make the ſame appear by affidavits of two creditable perſons in the court of King's bench, ſuch court ſhall fine ſuch chief magiſtrate in the ſum of 100 *l.* and ſhall in every ſucceeding term, until ſuch affidavits are made and produced, fine him in the like ſum of 100 *l.* which fines ſhall be eſtreated into the exchequer. Beams and ſcales to be erected in Dublin.

XIX. *ſect.* 6. In each of the ſeveral cities and towns following, *viz.* Cork, Waterford, Limerick, Belfaſt, Londonderry, Newry, Sligo, Galway, Drogheda, Dundalk, Wexford, Navan, Athy, Naas, Liſburn, Clonmel, Roſs, and Youghall, and all other market towns in this kingdom, there ſhall be provided by the chief magiſtrate for the time being, of ſuch city or town, one juſt and true balance or iron beam, with ſcales and a competent ſet of weights made of iron, and ſealed by the proper officer, for weighing of corn, and if ſuch chief magiſtrate ſhall not at the general aſſiſes to be held for the county where ſuch city or town lies, make it appear before the juſtices of aſſize by the affidavits of two credible perſons, that one ſuch balance or beam, with proper ſcales and weights, hath been provided and ſet up, ſuch chief magiſtrate ſhall be fined, by the juſtices of aſſize, in the ſum of fifty pounds, Market-towns.

pounds, and at every ſucceeding aſſiſes ſhall be fined the like ſum of fifty pounds, until ſuch affidavits ſhall be made and produced, which ſum ſhall be eſtreated into his Majeſty's court of exchequer.

Fees for weighing.

XX. *ſect.* 7. Provided that for weighing corn or other things at ſuch ſcales, no more ſhall be paid than one half-penny for every draught weighing one hundred weight, and one penny for every draught weighing one hundred pounds or upwards.

Dealers to provide ſcales and weights.

XXI. *ſect.* 8. All perſons who uſually buy or ſell any ſort of corn or grain within the city of Dublin, or liberties thereof, or within the liberties of Saint Sepulchre's, Thomas court, Donore, and Saint Patrick's Cloſe, ſhall provide themſelves with a good iron beam or balance, with ſcales thereunto, and a competent ſet of weights made of iron, and ſealed by the proper officer within each of the reſpective liberties, and ſhall buy and ſell by ſuch weights only, and none other; and if any ſuch perſons who uſually buy or ſell any ſort of corn or grain, ſhall buy or ſell by any other weights than ſuch iron weights, and ſo ſealed as aforeſaid, every ſuch offender ſhall, for every ſuch offence, forfeit five pounds; one moiety to the poor of the pariſh where ſuch offence ſhall be committed, and the other moiety to the informer, the ſame to be raiſed by diſtreſs and ſale of the offenders goods, being lawfully convicted upon oath of one credible witneſs, before the lord mayor of the city of Dublin, the ſeneſchals of the ſaid reſpective liberties within their reſpective juriſdictions, or any juſtice of the peace within the ſaid county of the city of Dublin, or county of Dublin reſpectively, who are hereby impowered to hear and finally to determine the ſame.

By Stat. 1 *Geo.* 3. *cap.* 17. *ſect.* 9. *the act* 11 *Geo.* 2. *cap.* 11. *ſo far as the ſame related to the buying and ſelling corn and other things therein mentioned by weight, was re-enacted; but the laſt mentioned ſtatute is now revived and made perpetual.*

Wills.

Deviſes of lands.

I. *Stat.* 10 *Car.* 1. *ſeſſ.* 2. *cap.* 2. *ſect.* 1. Every perſon having any manors, lands or hereditaments, holden in ſocage, ſhall have power to give and deviſe, as well by his laſt will and teſtament in writing, or otherwiſe by any act lawfully executed in his life, all his ſaid hereditaments or any of them.

Reliefs and heriots.

II. *ſect.* 14. Provided that every perſon ſhall pay reliefs and heriots as before. *Eng. Stat.* 32 *Hen.* 8. *cap.* 1.

Eſtates in fee-ſimple.

III. *ſect.* 30. Perſons having a ſole eſtate in fee-ſimple, or ſeized in fee-ſimple, in coparcenary, or in common, of lands or other hereditaments in poſſeſſion, reverſion, or remainder, ſhall have power to give or deviſe to any perſons except bodies corporate by his laſt will and teſtament in writing, or otherwiſe by act lawfully executed in his life, as much as in him of right is, his ſaid lands and hereditaments, or any of them, or any rents or profits out of the ſame at his pleaſure.

Diſabled perſons.

IV. *ſect.* 30. Wills made of lands or hereditaments, by any woman covert, or perſon within the age of one and twenty years, idiot or *de non ſane memorie*, ſhall not be good in law. *Eng. Stat.* 34 & 35 *Hen.* 8. *cap.* 5.

Atteſtation by three witneſſes.

V. *Stat.* 7 *Will.* 3. *cap.* 12. *ſect.* 5. All deviſes of any lands, tenements or hereditaments, deviſable either by force of the ſtatute of wills, or by this ſtatute, or by any particular cuſtom, ſhall be in writing, and ſigned by the party ſo deviſing the ſame, or by ſome other perſon in his preſence, and by his expreſs directions, and ſhall be atteſted and ſubſcribed in the preſence of the deviſor, by three or more credible witneſſes, or elſe they ſhall be void.

VI. *ſect.*

VI. *ſect.* 6. No deviſe in writing of lands or hereditaments, ſhall be revocable otherwiſe than by ſome other will or codicil in writing, or other writing declaring the ſame, or by burning, cancelling, tearing or obliterating the ſame by the teſtator himſelf, or in his preſence, and by his directions and conſent; but all deviſes of lands and tenements, ſhall remain in force until the ſame be burnt, cancelled, torn, or obliterated by the teſtator, or his directions in manner aforeſaid, or unleſs the ſame be altered by ſome other will or codicil in writing, or other writing of the deviſors, ſigned in the preſence of three or more witneſſes declaring the ſame. Revocation of wills.

VII. *ſect.* 18. No nuncupative will ſhall be good, where the eſtate thereby bequeathed ſhall exceed the value of thirty pounds, that is not proved by the oaths of three witneſſes at leaſt that were preſent at the making thereof; nor unleſs it be proved that the teſtator at the time of pronouncing the ſame, did bid the perſons preſent, or ſome of them, bear witneſs that ſuch was his will, or to that effect, nor unleſs ſuch nuncupative will were made in the time of the laſt ſickneſs of the deceaſed, and in the houſe of his habitation or dwelling, or where he hath been reſident ten days or more next before the making of ſuch will, except where ſuch perſon were taken ſick, being from his own home, and died before he returned to the place of his dwelling. Nuncupative wills.

VIII. *ſect.* 19. After ſix months paſſed after the ſpeaking of the pretended teſtamentary words, no teſtimony ſhall be received to prove any will nuncupative, except the ſaid teſtimony or the ſubſtance thereof, were committed to writing within ſix days after the making of the ſaid will. Limitation for proving.

IX. *ſect.* 20. No letters teſtamentary or probate of any nuncupative will, ſhall paſs the ſeal of any court till fourteen days after the deceaſe of the teſtator be fully expired; nor ſhall any nuncupative will be received to be proved, unleſs proceſs have firſt iſſued to call in the widow or next of kindred to the deceaſed, to the end they may conteſt the ſame if they pleaſe. Proceſs againſt the next of kin.

X. *ſect.* 21. No will in writing concerning any perſonal eſtate ſhall be repealed, nor ſhall any clauſe, deviſe, or bequeſt therein be altered or changed by words or will, by word of mouth only, except the ſame be in the life of the teſtator committed to writing, and after the writing thereof, read unto the teſtator, and allowed by him, and proved to be ſo done by three witneſſes at the leaſt. Repeal of wills in writing.

XI. *ſect.* 22. Provided that notwithſtanding this act, any ſoldier being in actual and military ſervice, or any mariner or ſeaman being at ſea, may diſpoſe of his moveables, wages, and perſonal eſtate, as they might have done before the making of this act. Soldiers and mariners.

XII. *ſect.* 23. Nothing in this act ſhall alter the juriſdiction or right of probate of wills concerning perſonal eſtates; but that the prerogative court of the archbiſhop of Armagh, and other eccleſiaſtical courts and other courts, having right to the probate of ſuch wills, ſhall retain the ſame right and power as they had before in every reſpect, ſubject nevertheleſs to the rules and directions of this act. *Eng. Stat.* 29 *Car.* 2. *cap.* 3. Eccleſiaſtical courts.

XIII. *Stat.* 6 *Ann. cap.* 10. *ſect.* 14. All ſuch witneſſes as ought to be allowed to be good witneſſes upon trials at law, ſhall be deemed good witneſſes to prove any nuncupative will, or any thing relating thereunto. *Eng. Stat.* 4 *&* 5 *Ann. cap.* 16. Legal witneſſes.

XIV. *Stat.* 25 *Geo.* 2. *cap.* 11. *ſect.* 1. If any perſon ſhall atteſt the execution of any will or codicil made after the twenty-fourth day of June, 1752, to whom any beneficial deviſe, legacy, eſtate, intereſt, gift, or appointment, affecting Legatees attesting wills.

fecting any real or perſonal eſtate, except charges on lands for payment of debts ſhall be thereby given, ſuch deviſe, &c. ſhall ſo far only as concerns ſuch perſon atteſting the execution of ſuch will or codicil, or any perſon claiming under him, be void, and ſuch perſon ſhall be admitted as a witneſs to the execution of ſuch will or codicil, notwithſtanding ſuch deviſe, &c.

Creditors.

XV. *ſect.* 2. In caſe by any will or codicil any lands, tenements, or hereditaments, ſhall be charged with any debts, and any creditor whoſe debt is ſo charged hath atteſted, or ſhall atteſt the execution of ſuch will or codicil, every ſuch creditor notwithſtanding ſuch charge ſhall be admitted as a witneſs to the execution of ſuch will or codicil.

Payment or releaſe of legacies.

XVI. *ſect.* 3. If any perſon hath atteſted the execution of any will or codicil made on or before the twenty-fourth day of June, 1752, to whom any legacy or bequeſt is thereby given, whether charged upon lands or not, and ſuch perſon before he ſhall give his teſtimony concerning the execution of ſuch will or codicil ſhall have been paid, or have accepted or releaſed, or ſhall have refuſed to accept, ſuch legacy or bequeſt, upon tender made thereof, ſuch perſon ſhall be admitted as a witneſs to the execution of ſuch will or codicil, notwithſtanding ſuch legacy or bequeſt.

Tender and refuſal.

XVII. *ſect.* 4. In caſe of ſuch tender and refuſal, ſuch perſon ſhall in no wiſe be intitled to ſuch legacy or bequeſt, but ſhall be barred therefrom; and in caſe of ſuch acceptance, ſuch perſon ſhall retain to his own uſe the lagacy or bequeſt which ſhall have been ſo paid or accepted, notwithſtanding ſuch will or codicil ſhall afterwards adjudged to be void for want of due execution, or for any other cauſe,

Legatee dying.

XVIII. *ſect.* 5. In caſe any ſuch legatee who hath atteſted the execution of any will or codicil made on or before the ſaid twenty-fourth day of June, 1752, ſhall have died in the life-time of the teſtator, or before he ſhall have received or releaſed the legacy or bequeſt ſo given to him, and before he ſhall have refuſed to receive ſuch legacy or bequeſt, on tender made thereof, ſuch legatee ſhall be deemed a legal witneſs to the execution of ſuch will or codicil, notwithſtanding ſuch legacy or bequeſt.

Credit of witneſſes.

XIX. *ſect.* 6. Provided, that the credit of every witneſs in any of the caſes beforementioned, and all circumſtances relating thereto, ſhall be ſubject to the conſideration and determination of the court and the jury before whom any ſuch witneſs ſhall be examined, or his teſtimony or atteſtation made uſe of, as the credit of witneſſes in all other caſes ought to be conſidered of and determined.

Witneſſes barred after examination.

XX. *ſect.* 7. No perſon to whom any beneficial intereſt ſhall be given, which is hereby enacted to be void, or who ſhall have refuſed to receive any ſuch legacy or bequeſt, on tender made, and who ſhall have been examined as a witneſs concerning the execution of ſuch will or codicil, ſhall after he ſhall have been ſo examined, demand, or receive any benefit from ſuch intereſt, by any ſuch will or codicil, or demand or accept from any perſon ſuch legacy or bequeſt, or any compenſation for the ſame under any pretence.

Securities void.

XXI. *ſect.* 8. In caſe any perſon ſhall give, ſecure, or agree to pay, or ſhall receive or accept from any perſon any ſuch legacy or bequeſt, or any ſatisfaction or ſecurity for the ſame, contrary to the intent hereof, every perſon offending therein, and being thereof convicted, ſhall ſuffer impriſonment for three years, and every ſuch ſecurity or agreement is declared to be void.

Heirs or deviſees in poſſeſſion.

XXII. *ſect.* 9. Nothing herein contained ſhall extend to the caſe of any heir at law, or of any deviſee in a prior will or codicil of the ſame teſtator, executed and atteſted according to the *Stat.* 7 *Will.* 3. *cap.* 12. or any perſon claiming under them reſpectively, who has been in quiet poſſeſſion for two years next preceding the

the ſixth day of May, 1751, as to ſuch lands whereof he has been in quiet poſſeſſion as aforeſaid.

(2) And nothing herein contained ſhall extend to any will or codicil, the validity whereof hath been conteſted in any ſuit in law or equity, commenced by the heir of ſuch deviſor, or the deviſee in any ſuch prior will or codicil for recovering the lands, &c. mentioned to be deviſed in any will or codicil ſo conteſted, or for obtaining any other judgment or decree relative thereto, before the ſaid ſixth day of May, 1751, and which has been already determined in favour of ſuch heir at law or deviſee, or any perſon claiming under them reſpectively, or which is ſtill depending, and has been proſecuted with due diligence, but the validity of every ſuch will or codicil, and the competency of the witneſſes thereto, ſhall be adjudged in the ſame manner as if this act had never been made. Wills conteſted.

XXIII. *ſect.* 10. No poſſeſſion of any heir at law, or deviſee in ſuch prior will or codicil as aforeſaid, or of any perſon claiming under them reſpectively, which is conſiſtent with, or may be warranted under, any will or codicil atteſted according to this act, or where the eſtate deſcended, or might have deſcended to ſuch heir at law, till a future or executory deviſe by virtue of any will or codicil, atteſted according to this act, ſhould take effect, ſhall be deemed to be a poſſeſſion within the intent of the clauſe herein laſt before contained. *Brit. Stat.* 25 *Geo.* 2. *cap.* 5. Executory deviſes.

Wines.

I. *Stat.* 14 *Car.* 2. *cap.* 9. *ſect.* 2. His Majeſty, his heirs and ſucceſſors, ſhall have, levy, and receive for ever, one ſubſidy called tunnage, that is to ſay, *for* every tun of wine of the growth of France, or of any of the dominions of the French King or France, that ſhall be brought into the ports and places of this realm, by natural born ſubjects of any his Majeſty's dominions, three pounds and ten ſhillings of lawful money of England, and by ſtrangers and aliens four pounds thirteen ſhillings and four-pence, and of every butt or pipe of Muſcadine, Malmeſeis, Cutes, Lents, Allicants, Baſtard-ſacks, Canaries, Malagoes, Madeiras, and all other wines commonly called Sweet Wines of the growth of the Levant, Spain, Portugal, or of any of the iſlands or dominions to any of them belonging or elſewhere, that ſhall be brought into the ports and places of this realm, by any natural born ſubject as aforeſaid, two pounds and ten ſhillings, and by ſtrangers and aliens three pounds ſix ſhillings and eight-pence; of every awm containing forty two gallons of Rheniſh wine of the growth of Germany, that ſhall be brought into this realm by natural born ſubjects as aforeſaid, fifteen ſhillings of like money, and by ſtrangers and aliens twenty ſhillings; which ſeveral rates of tunnage which are expreſſed in the book of rates, and no other, ſhall be levied and taken, and ſo proportionably for a greater or leſſer quantity of the ſame, excepted always and forepriſed priſage and butlerage. Tunnage duties.

II. *ſect.* 16. The lord deputy or other chief governors of this realm, ſhall have yearly for their proviſion and ſtore of their houſes, of ſuch wines as ſhall be brought into this realm twenty tuns, free and diſcharged of all cuſtoms or ſubſidies; and the ſaid lord deputy or chief governors ſhall alſo have power to grant and appoint unto every of the privy council, and to his Majeſty's learned council and clerk of his Majeſty's privy council at their diſcretion, ſuch quantity of wines, to be free and diſcharged of cuſtoms and ſubſidy, as they ſhall think competent for every of them, after their degrees and qualities. Allowance to chief governors.

III. *Rule* 7. *Of the directions for the advancement of trade*, &c every merchant bringing in any ſorts of wines into this realm by way of merchandiſe, and making Allowance to merchants.

due entries of the ſame in the cuſtom houſe, ſhall be allowed ten *per centum* for leakage, to be taken or deducted not out of the quantities of wines, but out of the monies received for the ſubſidy, provided ſuch wines be not filled up on ſhipboard, and if ſo, no allowance then to be made at all for the ſame.

Hogſheads run out.

IV. *Rule* 9. Every hogſhead of wine which ſhall be run out, and not full ſeven inches or above left therein, and every butt or pipe not above nine inches, ſhall be accounted for outs, and the merchant to pay no ſubſidy for the ſame.

Unmerchantable wines,

V. *Rule* 10. If any wines ſhall prove corrupt and unmerchantable, and fit for nothing but to diſtil into hot waters, then every owner of ſuch wines ſhall be abated in the ſubſidy according to ſuch his damages in thoſe wines, by the diſcretion of the commiſſioners of the cuſtoms in the port of Dublin, and of the collectors, and one other of principal officers in all other the out ports.

Fees for gauging.

VI. *Fees to be taken by the officers in the ſeveral ports for gauging every tun of wine, for the* gauger four-pence; beſides out of every ſhip bringing in wine, one ſmall bottle of wine for a gauging bottle.

Taſters's fees.

VII. *Rule* 51. It ſhall be lawful for the taſter of wines imported, and the ſurveyor of the outs and defects of the ſame, to demand and receive the fees following, *viz.* for every butt, pipe, puncheon, or large caſk, that ſhall be taſted or ſurveyed, ſix pence, for every hogſhead, tierce, barrel, rundlet, or ſmaller veſſel that ſhall be taſted or ſurveyed, three pence.

Imported from England.

VIII. *Rule* 53. All wines imported out of England or Wales, *ſhall* pay ſo much only in ſubſidy, as upon the exportation of the ſame wines out of England ought to be repaid, or diſcharged of the ſubſidy of tunnage and poundage and additional duties there paid or ſecured for the ſame..

Exciſe or new impoſt.

IX. *Stat.* 14 *Car.* 2. *cap.* 8. *ſect.* 8. For all ſorts of wine, ſpecified and rated in the book of rates to be imported, of the value of every twenty ſhillings of the ſame wines, according as they are valued in this book of rates, ſhall be paid by the name of exciſe or new impoſt, and ſo after the rate for a greater or leſſer quantity, twelve pence.

Taſters of wines.

X. *ſect.* 35. The commiſſioners of exciſe, their ſub-commiſſioners, and collectors of the ports reſpectively, ſhall appoint ſworn officers for the taſting of all decayed wines, and upon report made by them ſhall give ſuch allowance upon the landing, and before the houſing of ſuch goods as they ſhall think fit, not allowing more than is given for the ſame cauſe in the like matter of cuſtoms and ſubſidy of tonnage or poundage, according to which they ſhall at all times regulate themſelves.

Contents of veſſels.

XI. *ſect.* 36. For taking away all controverſies that may ariſe touching the contents of a tun of wines, although two hundred fifty two gallons is the juſt meaſure of one tun, nevertheleſs two butts, two pipes, four hogſheads of what ſort ſoever, ſix tierces, three puncheons or tercions, and eight quarter caſks, ſhall be accounted a tun of wine, and every caſk of wine imported, which if full ſhall exceed a quarter caſk ſhall be accounted for a tierce, and every caſk that ſhall exceed a tierce, ſhall be accounted for a hogſhead, and every caſk that ſhall exceed an hogſhead, ſhall be accounted for a puncheon, and every caſk that exceeds a puncheon, ſhall be accounted a butt or pipe, without any allowance of undergage.

Valuation for duties.

(2) The value according to which exciſe is to be paid *(for wines)* by the firſt buyer or importer.

All wines of the growth of Spain, or dominions thereof, the tun	200	0	0
All French, Rheniſh, and other wines whatſoever, the tun	140	0	0

XII. *Stat.* 17 *Car.* 2. *cap.* 19. *ſect.* 1. No perſons unleſs they be licenſed as in this act is preſcribed, ſhall ſell by retail, that is to ſay, by the pint, quart, pottle, or gallon, or by any other retail meaſure, any kind of wine, aqua vitæ, uſquebagh, brandy, balkan, or other diſtilled ſtrong-waters, by any colour or means, upon pain to forfeit for every ſuch offence five pounds, the one moiety of ſuch penalty to be to the King, the other moiety to them that will ſue for the ſame, by action, &c. in any of the King's courts of record, in which ſuit no eſſoign, &c. ſhall be allowed. Retailers to be licenſed.

XIII. ſect. 2. *Commiſſions ſhall from time to time be awarded under his Majeſty's great ſeal into every county, to a convenient number of commiſſioners to be nominated by the lord lieutenant or other chief governors of this kingdom and council, the ſaid commiſſioners to be choſen out of the juſtices of the peace, with ſuch others to be added to them as the lord lieutenant or chief or chief governors and council ſhall think fit.* Commiſſioners for licences.

The clauſes of this act, relative to the appointment and authority of commiſſioners, are altered by Stat. 33 Geo. 2. cap. 10. ſect. 94, *&c.*

XIV. *ſect.* 7. No merchant, vintner, cooper, or other perſon ſelling or retailing wine, ſhall mingle or utter any Spaniſh mingled with any French wine or Rheniſh wine, or French wines mingled with Rheniſh wines or Spaniſh wines, or Rheniſh wines mingled with French wines or Spaniſh wines, or any of the ſaid wines mingled with cyder, perry, ſtum'd wines, vitriol, honey, ſugar, ſyrup of ſugar, moloſſes, or any other ſyrups whatſoever, nor put in any iſinglaſs, brimſtone, lime, raiſins, juice of raiſins, water, nor any other kind of liquor or ingredients, nor any clary or other herb, nor any fleſh whatſoever, or milk; and every perſon committing any of the offences aforeſaid, ſhall incur the penalties hereafter mentioned, that is to ſay, Mingling wines.

(2) Every merchant, wine-cooper, or other perſons ſelling any ſorts of wines in groſs, mingled or abuſed as aforeſaid, ſhall forfeit for every ſuch offence twenty pounds; and every vintner or other perſons ſelling any ſort of wine by retail mingled or abuſed as aforeſaid, ſhall forfeit for every ſuch offence ten pounds, of all which forfeitures one moiety ſhall go unto the King, the other moiety to the informer; and all the forfeitures in this act before mentioned to be recovered in any court of record by action of debt, bill, plaint, or information, wherein no eſſoign, protection, or wager of law ſhall be allowed. Penalties.

XV. *ſect.* 8. And in caſe any perſons whatſoever ſhall offend contrary to the intention of this act, or ſhall incur any forfeiture or penalty therein mentioned, ſuch perſons ſhall be proceeded againſt and puniſhed, either in his Majeſty's court of exchequer, or before the juſtices of aſſiſe at the general aſſiſes, or the juſtices of the peace at their quarter-ſeſſions, who are authorized to inquire of all offences againſt this act, and to hear and determine the ſame. Proceedings againſt offenders.

XVI. *Stat.* 33 *Geo.* 2. *cap.* 10.. *ſect.* 39. In caſe any merchant or other perſon ſhall find his wine or any part thereof in his judgment ſo damaged, corrupt, or unmerchantable, as not to be worth the duties, in ſuch caſe, ſuch merchant ſhall have liberty, immediately after the landing the ſaid wines, to ſtave or ſpill the ſame, or mix each hogſhead thereof with twenty pounds weight of ſalt, and ſo in proportion for any greater or leſſer caſk, in the preſence of ſuch officers as ſhall be appointed for that purpoſe by the commiſſioners of exciſe, or any three of them, or the collector or other chief officer of the port where the wines ſhall be imported. Damaged wines.

(2) And the merchant ſo ſtaving and ſpilling, or mixing ſuch wine with ſalt, ſhall be repaid the whole duty paid by him for the ſame, without any delay, charge, fee, or deduction; and in order to certify the quantity of wine ſo deſtroyed, the proper officer Re payment of duties.

officer appointed for diſcharge of the ſhip importing the ſame, ſhall make an entry thereof at the foot of the merchant's warrant.

Allowances for charges.

XVII. *ſect.* 40. Over and above the duties repaid as aforeſaid, the merchant or other perſon ſhall for every tun of wine ſo deſtroyed, if of the growth of Germany, or wines which pay duties as ſuch, be allowed, as a compenſation for the freight and other charges, four pounds; and for every tun of wine of the growth of France, ſo deſtroyed, forty ſhillings; and for wines of the growth of Portugal, Spain, and elſewhere, ſix pounds, and ſo proportionably; which allowances ſhall without any delay be paid, on a certificate of the ſaid wines being ſo ſpilt or mixed with ſalt, out of the duties payable to his Majeſty, and the proper officers are required to make out and ſign ſuch certificate without fee or reward.

Prizage and butlerage.

XVIII. *ſect.* 41. Provided, that any thing herein contained, or to be done in execution thereof, ſhall not extend to diminiſh the duties of prizage or butlerage of wines, due upon the importation of the ſame, but the ſame ſhall be collected in the ſame manner as if this act had never been made.

Place of growth, &c.

XIX. *ſect.* 42. Provided alſo, that no allowance ſhall be made for any ſuch corrupt or decayed wine, unleſs ſuch wine ſhall be imported in caſks, directly from the country or place of the growth of ſuch wine, or the uſual place of its firſt ſhipping, but the ſame ſhall be ſtaved or mixed with ſalt as aforeſaid, unleſs the full duty be paid for the ſame.

Permits for land carriage.

XX. *ſect.* 48. All wines in hogſheads, that ſhall be carried to the inland parts, ſhall be liable to be ſeized by any of the officers of his Majeſty's revenue, and ſhall be deemed to be run goods, and forfeited as ſuch, unleſs the carrier ſhall actually produce a permit or let-paſs, given by the proper officer of the revenue for the carriage of the ſaid goods, if demanded or required ſo to do by the ſaid officer.

Drawback on exportation.

XXI. *ſect.* 53. Every merchant, being a ſubject of this realm, or any other his Majeſty's dominions, who ſhall export any wines, for which allowances or drawbacks ought by law to be given, within the ſpace of eighteen months, or any ſtranger within the ſpace of fifteen months after the importation thereof, ſhall be intitled to have ſuch allowances and drawbacks, as fully as if the ſaid wines had been exported within the ſpace of twelve months, and nine months after the importation thereof reſpectively.

XXII. *ſect.* 100. All perſons ſelling or uttering wines by any quantity under one gallon, ſhall be deemed and taken to be retailers within the meaning of the act, 17 & 18 *Car.* 2. *cap.* 19.

This act is continued for two years from the twenty-fourth day of June, 1766, *and to the end of the then next ſeſſion of parliament, by Stat.* 5 *Geo.* 3. *cap.* 16. *ſect.* 36.

Additional duties.

XXIII. *Stat.* 5 *Geo.* 3. *cap.* 1. *ſect.* 1. From the twenty fifth day of December 1765, until the twenty fifth day of December, 1767, incluſive, and no longer, there ſhall be raiſed and paid to *his* Majeſty, for every tun of wine that ſhall be imported during the time aforeſaid, four pounds, and ſo proportionably for a greater or leſſer quantity.

Further additional duties.

XXIV. *Stat.* 5 *Geo.* 3. *cap.* 2. *ſect.* 8. From and after the twenty-fifth day of December, which ſhall be in this preſent year 1765, there ſhall be throughout *his* Majeſty's kingdom of Ireland, raiſed, and paid to *his* Majeſty, &c. until the twenty fifth day of December, 1767, incluſive, and no longer, over and above the ſeveral rates and duties payable by virtue of an act *for ſettling of the exciſe or new impoſt*, &c. or by virtue of one other act *for ſettling the ſubſidy of poundage, and granting*

a ſubſidy of tunnage, &c. and over and above the ſeveral additional duties granted to *his* Majeſty this preſent ſeſſion of parliament, an additional duty of ſix pounds *per* ton for and upon all ſorts of wine of the growth of France or Spain, and three pounds *per* ton for and upon all ſorts of wine of the growth of Portugal; and of five pounds *per* ton for and upon all other wines that ſhall be imported into this kingdom from and after the ſaid twenty-fifth day of December, 1765.

Women.

I. Eng. Stat. 31 Hen 6. cap. 9. *Whereas people of power have found inventions to the danger of all ladies, gentlewomen, and other women ſole, having ſubſtance of lands or goods, to take them by force, or otherwiſe coming to them ſeeming to be their friends, promiſing them faithful love, and ſo by diſſimulation or otherwiſe to get them in their poſſeſſion, conveying them into places where the offenders be of moſt power; and when any woman is in their ſaid governance, the ſaid perſons will not ſuffer them to be at their liberty, till they bind them to the ſaid offenders, or other perſons to their uſe, in great ſums by obligations or ſtatutes merchant; alſo they many times compel them to be married contrary to their deſires, or otherwiſe they will levy the ſame ſums of their lands and goods, and put their perſons in danger*; in all ſuch caſes, the party bound may have a writ out of chancery, containing the matter of their unreaſonable treatment, directed to the ſheriff where ſuch offences were done, commanding him that he make proclamation in the next county court, that the perſons contained in the writ appear at a certain day and place before the chancellor, or before the juſtices of aſſiſe, or other perſon to be aſſigned by the chancellor, at the which day if the parties appear, the chancellor, juſtice, or other perſon aſſigned, ſhall examine the parties; by which examination if they find the obligations to be made as aforeſaid, the obligations and all proceſs thereupon ſhall be void; and if it be found that the obligations were made for a true duty, and by no ſuch means as aforeſaid, the obligations ſhall ſtand good.

Recital.

Writ out of chancery.

(2) And if the perſons in ſuch writs named make default at the day, ſuch obligations in the writs expreſſed, and all proceſs thereupon ſhall be void; and the ſheriffs ſhall execute the writs, upon pain of 300l. whereof the King to have one half, and the other half to the party which ſhall ſue the writ of proclamation, and the party grieved may have an action of debt for the half of the 300l. ſo forfeited, with proceſs of outlawry, and the defendants ſhall alledge no protection, or plead any foreign plea.

Default of appearance.

II. *Eng. Stat. 3. Hen. 7. cap. 2.* Where women having ſubſtance, ſome in goods and ſome in lands, and ſome being heirs apparent, be taken by miſdoers, contrary to their will, and after married to ſuch miſdoers, or to others by their aſſent, or defiled, what perſon that taketh a woman ſo againſt her will unlawfully, maid, widow or wife, ſuch taking, procuring, and abetting to the ſame, and alſo receiving wittingly the woman ſo taken againſt her will, and knowing the ſame, ſhall be felony; and ſuch miſdoers, takers, procurers, and receivers, knowing of the ſaid offence, ſhall be judged as principal felons; provided that this act extend not to any perſon taking any woman, only claiming her as his ward or bondwoman.

Taking away women by force.

III. *Stat. 10 Car. 1. ſeſſ. 3. cap. 17. ſect. 1.* It ſhall not be lawful to take or convey away any maid or woman-child unmarried, being within the age of ſixteen years, from the cuſtody or governance, and againſt the will of the father, or of ſuch perſons to whom the father by his will or by any other act ſhall appoint or grant the education or governance of ſuch maid or woman-child, except ſuch taking and conveying

Children under ſixteen.

veying away ſhall be done by or for ſuch perſon as without fraud or covin ſhall be the maſter or miſtreſs or the guardian in ſocage of ſuch child.

Fine and impriſonment.

IV. *ſect.* 2. If any perſon above the age of fourteen years, ſhall unlawfully take or convey any maid or woman-child unmarried, being within the age of ſixteen years, from the poſſeſſion and againſt the will of the father or mother of ſuch child, or of ſuch perſons as then ſhall have by any lawful means the education or governance of any ſuch child; every ſuch perſon ſo offending, being thereof lawfully attainted or convicted, ſhall ſuffer impriſonment two years, or elſe ſhall pay ſuch fine as ſhall be aſſeſſed by the council of the King, in the court of caſtle chamber.

Marrying or deflowering.

V. *ſect.* 3. If any perſon ſhall ſo take away and deflower any ſuch maid or woman-child, or ſhall againſt the will or unknowing of or to the father of ſuch woman-child, if the father be in life, or againſt the will or unknowing of or to the mother of any ſuch child, having the cuſtody and government of ſuch child, if the father be dead, by ſecret letters, meſſages, or otherways contract matrimony with any ſuch maid or woman-child, every perſon ſo offending being thereof convicted as is aforeſaid, ſhall ſuffer impriſonment five years, or elſe ſhall pay ſuch fine as ſhall be aſſeſſed by the ſaid council in the court of caſtle chamber, the one moiety of all which fines ſhall be to the King, the other moiety to the parties grieved.

Proceſs on indictments.

VI. *ſect.* 4. The King's council of the caſtle chamber, by bill of complaint or information, and juſtices of aſſiſe by inquiſition or indictment, ſhall have authority to determine the ſaid offences; upon every which indictments and inquiſitions ſuch proceſs ſhall be awarded as upon an indictment of treſpaſs at the common law.

Women under ſixteen conſenting to marry.

VII. *ſect.* 5. If any woman-child or maiden, being above the age of twelve years and under the age of ſixteen years, do conſent to ſuch perſon that ſo ſhall make any contract of matrimony, contrary to this ſtatute, the next of the kin of the ſame woman-child or maid, to whom the inheritance ſhould deſcend or come after the deceaſe of the ſame woman-child, ſhall from the time of ſuch aſſent and agreement have and enjoy all ſuch lands, &c. as the ſame woman-child and maiden had in poſſeſſion, reverſion, or remainder, at the time of ſuch aſſent, during the life of ſuch perſon that ſo ſhall contract matrimony; and after the deceaſe of ſuch perſon ſo contracting matrimony, the ſaid lands, &c. ſhall revert and come to ſuch perſons as they ſhould have done in caſe this act had never been had nor made, other than to him that ſhall ſo contract matrimony. *Eng. Stat.* 4 & 5 *Phil. & Mar. cap.* 8.

Seducing heireſſes under eighteen.

VIII. *Stat.* 6 *Ann. cap.* 16. *ſect.* 1. If any perſon above the age of fourteen years, by fraud, flattery, fair promiſes, or other indirect means, ſhall ſecretly allure and convey away, any maid or woman-child, having ſubſtance in lands or goods, or being heireſs to her anceſtor, and within the age of eighteen years, from the cuſtody or governance of the father or mother or guardians of ſuch maid or woman-child, againſt the will of the father or mother, or of ſuch perſons who ſhall then have the guardianſhip, or of ſuch other perſons as ſhall then lawfully have the keeping, education, or government of ſuch maid or woman-child, and ſhall contract matrimony with ſuch maid or woman-child with the conſent of ſuch child, the ſaid perſons ſo taking away and marrying the ſaid maid or woman-child without the conſent of the parent or guardian, and in caſe there be no parent or guardian appointed, then of the lord chancellor, lord keeper, or commiſſioners of the great ſeal, and be thereof convicted, ſhall ſuffer impriſonment for three years, and ſhall be adiudged to be diſabled to have or take any uſe or benefit of any the eſtate real or perſonal to which ſuch maid or woman-child, or any perſons in truſt for ſuch child

child at the time of ſuch marriage, or at any time after ſhall be ſeized of or intitled unto.

IX. *ſect.* 2. The eſtate real or perſonal which ſuch maid or woman-child, or any perſons in truſt for her, ſhall be intereſted in or intitled unto at the time of ſuch marriage, or at any time afterwards, ſhall upon the conviction of ſuch perſons ſo taking away and marrying ſuch maid or woman-child, be from the time of ſuch marriage veſted in ſuch truſtees as the lord chancellor, &c. ſhall think fit to appoint, ſubject to ſuch charges and demands as the ſame was liable to at the time of ſuch marriage; and upon this further truſt that ſuch truſtees and the ſurvivors of them ſhall receive the profits of the ſaid real and perſonal eſtate, and manage the ſame to the beſt advantage, during the joint lives of the perſons ſo marrying. Eſtate veſted in truſtees.

(2) And in caſe ſuch woman happen to ſurvive her ſaid huſband, then to the intent that the ſaid truſtees, and the ſurvivor of them, ſhall pay unto ſuch woman out of the rents and profits of the premiſſes ſuch proportion thereof, during her life for her maintenance, as the lord chancellor, &c. ſhall appoint; and alſo ſuch ſums for the maintenance and education of the children of ſuch woman as ſhall be appointed as aforeſaid; and upon this further truſt, that the ſaid eſtate real and perſonal, and all the profits and produce thereof, other than what ſhall be diſpoſed of as aforeſaid, or in payment of ſuch debts as the ſame was liable to before the ſaid marriage, and other than what ſhall be neceſſarily expended by the ſaid truſtees, in execution of the ſaid truſt, ſhall after the death of ſuch woman ſo married as aforeſaid, deſcend to ſuch perſons as the ſame would have done in caſe this act had never been made. Woman ſurviving her huſband.

X. *ſect.* 7. If any maid or woman be carried away by force againſt her conſent, and after be married or defiled by ſuch perſons who carried her away, or by any other perſon, by their aſſent or procurement, whether ſuch marriage or defilement be with or without the conſent of ſuch maid or woman, every ſuch perſon ſo marrying or defiling ſuch maid or woman, and the aiders and procurers of ſuch forcible taken away of ſuch maid or woman, all as well principals as acceſſories before ſuch fact committed, ſhall loſe the benefit of clergy, and ſhall be adjudged to be felons, and ſhall ſuffer death without benefit of clergy. Marrying or defiling women.

XI. *ſect.* 8. If any perſons being principal or acceſſory before ſuch offences committed, ſhall be indicted and arraigned for the taking away of any ſuch maid or woman by force againſt her conſent, and marrying or defiling ſuch maid or woman as aforeſaid, and upon their reſpective trials ſhall ſtand mute, or make no direct anſwer or challenge peremptorily above the number of twenty, they, in every ſuch caſe ſhall ſuffer death without the benefit of the clergy. *See Tit.* **Marriages.** Standing mute.

XII. *Stat.* 19 *Geo.* 2. *cap.* 13. *ſect.* 2. If any maid or woman be carried away by force againſt her conſent with an intent to marry or defile ſuch maid or woman contrary to the intent of the act (6 *Ann. cap.* 16.) every perſon ſo carrying away ſuch maid or woman, and the aiders and procurers of ſuch forcible carrying away, and all as well principals as acceſſaries before ſuch fact committed ſhall be adjudged felons without benefit of clergy or of the ſtatute. Felony of death.

XIII. *ſect.* 3. This act ſhall be read once in every year in all pariſh-churches, and all public chapels, and other places of public worſhip, immediately after morning prayers, and in open court at every general quarter-ſeſſions of the peace. Reading in churches.

Barking trees.

I. *Stat.* 10 *Will.* 3. *cap.* 12. *ſect.* 13. No perſon ſhall ſtrip bark from any growing or ſtanding tree, or ſhall cut. make or ſell any goads made of oak; or ſhall cut or place at their doors or elſewhere, any green trees, commonly called May buſhes; or ſhall keep any goats other than in mountain, under penalty of forfeiting the ſame, and of paying twenty ſhillings for every ſuch offence, to be levied as herein is after directed; the one moiety thereof to the informer, and the other moiety to the poor of the pariſh where ſuch perſon ſo offending ſhall be apprehended.

Tanning and dying.

II. *ſect.* 14. *Whereas the bark of ſtanding trees has been uſually ſtript for tanning hides of ſtolen cattle, in bogs and other private places; and for dying linen yarn, thread and ſkins by perſons in private houſes*; for remedy whereof for the future, no brouge-maker or other perſon other than public and known tanners, ſhall tan or keep in lime or other pits, in order to tanning any hides or ſkins; and no ſpinner, weaver, ſkinner or other perſon not being a known dyer, and exerciſing the trade of a dyer, ſhall colour or die any linen yarn, thread, ſkins or gloves, with the bark of any tree, or of ſuch colour as is uſually dyed with the bark of any tree growing in this kingdom, under the pain of ſuch fine, not exceeding forty ſhillings for any one offence, as the juſtices herein after appointed ſhall impoſe.

Cutting down timber in the day time.

III. *ſect.* 15. Every perſon who between ſun-riſing and ſun-ſetting ſhall ſaw or cut down any tree, not being thereunto authorized by the perſon who has a right to ſuch tree, ſhall for every ſuch offence forfeit to the owner treble the value of ſuch trees, the ſame to be aſcertained by the juſtices in their public ſeſſions, and ſhall pay as a fine for every tree ſo cut or grubbed up, ſuch ſum not exceeding forty ſhillings, nor under five ſhillings, as to the ſaid juſtices ſhall ſeem reaſonable.

Paying fine and damages.

(2) And in caſe the ſaid perſons ſhall refuſe or not be able to anſwer the damages and pay the fine, the ſaid juſtices in open ſeſſions ſhall by warrant under their hands and ſeals commit ſuch perſons to the houſe of correction for any time not exceeding or under three months, there to remain at hard labour, and having d e correction.

Felony to cut timber in the night.

IV. *ſect.* 16. Where any perſon ſhall after ſun-ſetting, and before ſun-riſing, ſaw, cut down, or grub up any tree, ſuch perſons ſhall by the next juſtice of the peace be committed to the county gaol as a felon, and ſhall, being thereof convict, ſuffer all the penalties of felony.

Diſtreſs and ſale of goods.

V. *ſect.* 25. All penalties and fines incurred and to be levied by virtue of this act, ſhall be levied by diſtreſs and ſale of goods if need be, or by committal of the perſon where no diſtreſs can be found, by warrant under the hand and ſeal of two juſtices; and all fines and forfeitures ſo levied, and not hereby otherwiſe diſpoſed of, ſhall be applied to the encouragement of the linen and hempen manufactures, and for defraying the neceſſary charge of the ſeveral ſeſſions, the ſame to be diſpoſed of to the uſes aforeſaid, according to the directions of the ſaid juſtices, which ſhall be made by them in open ſeſſions.

Reading the act.

VI. *ſect.* 26. All juſtices of gaol delivery ſhall at each aſſiſes give the ſame in charge, and ſhall cauſe the clerk of the crown or his deputy, after the charge given, to read this act in open court with an audible voice, ſilence being firſt commanded. *See ſect.* 17. *of this act in Tit.* Treſpaſs.

The other clauſes of this act are repealed by Stat. 8 Geo. 1. cap. 8.

VII. *Stat.* 4 *Ann. cap.* 9. *ſect.* 9. No perſon ſhall make or uſe in plowing, drawing of timber, or other work, or in wattling the walls of houſes or cabbins, or out-buildings, any kind of gads or wyths of oak, aſh, birch, hazel, or other tree; and any perſon that ſhall offend herein, and ſhall be thereof convicted at the aſſiſes or quarter-ſeſſions held for that county, ſhall forfeit a ſum not exceeding 20 s. to be levied by warrant from the court where the matter ſhall be tried or determined, the one moiety whereof to be to the informer, and the other moiety to the poor of the pariſh where the offence is committed. Gads and wattles,

VIII. *ſect.* 11. If any perſon unlawfully and without conſent of the owners or poſſeſſors, ſhall take, cut or ſpoil any kind of wood or underwood, poles or young trees, clap-boards, barrel-ſtaves, ſhingles, gads, wyths, wattles, willows; or ſhall dig or pull up any fruit trees or other trees, or break or cut any hedge, pales, rails or fence; every ſuch perſon being thereof convicted according to the directions of the act 10 *Car.* 1. *ſeſſ.* 2. *cap.* 23. *which ſee in Tit.* **Treſpaſs** ſhall, over and above the ſatisfaction to be made to the party grieved, pay to the poor of the pariſh where ſuch offence ſhall be committed, ſuch ſum not exceeding 10 s. as ſuch juſtice of the peace or chief magiſtrate ſhall judge meet, to be levied by diſtreſs and ſale of the offenders goods, by warrant of ſuch chief magiſtrate or juſtice of the peace. Spoiling timber or fruit-trees.

IX. *ſect.* 12. Provided, that where the ſatisfaction to be made to ſuch party grieved, ſhall in the judgment of ſuch juſtice of the peace or other chief magiſtrate be judged to amount to more than 10 s. every ſuch juſtice and chief magiſtrate ſhall bind ſuch offender to the next quarter-ſeſſions of the peace to be held for ſuch county or place, who are hereby impowered to make ſuch order for recompence of ſuch party grieved, and payment of ſuch ſum to the poor of the pariſh as aforeſaid, and for levying them by diſtreſs and ſale of the offenders goods, as they ſhall think meet. Binding over to the ſeſſions.

(2) And in caſe ſuch juſtice or chief magiſtrate ſhall find that ſuch offender is unable to make ſatisfaction, and pay ſuch ſum to the poor of the pariſh as aforeſaid, or the offender ſhall not pay the ſame, ſuch juſtice and chief magiſtrate reſpectively, ſhall for the firſt offence commit ſuch offender to the houſe of correction for any time not exceeding one month, or ſhall order ſuch offender to be publickly whipt by the conſtable or other officer at the next market town or place on the next market day, as to ſuch juſtice or chief magiſtrate ſhall ſeem moſt convenient. Inability to pay damages.

(3) And if ſuch perſon ſhall again offend in any of the premiſſes, being lawfully convicted as aforeſaid, and not making ſatisfaction and payment as aforeſaid, ſuch perſon ſhall be ſent to the houſe of correction and be there kept to hard labour for three months, and alſo publickly whipt as aforeſaid; and every ſuch perſon offending a third time in the premiſſes, and being thereof convicted, and not making payment and ſatisfaction as aforeſaid, ſhall be deemed an incorrigible rogue, and ſhall be ſent to the houſe of correction or work-houſe, and there detained at hard labour for two years. Repetition of offences.

X. *ſect.* 13. It ſhall be lawful for any conſtable or other perſon, by warrant of any juſtice of the peace or chief magiſtrate of any city, town, or place within the limits of their reſpective juriſdictions, to make ſearch in all ſuſpected houſes and places for any wood, underwood, poles, trees, clap-boards, barrel-ſtaves, pales, rails, ſtiles, poſts, gates, or for any gads, wyths, wattles, willows, hedge-wood, bark, rind or coat of any tree unlawfully come by, or for any wool, thread, yarn, or other matter dyed or coloured with any bark, rind or coat, of any tree unlawfully Warrants for ſearch.

lawfully barked; and if ſuch perſon ſhall find any of the premiſſes in the poſſeſſion of any perſon whom he ſhall ſuſpect to have been guilty of the offences aforeſaid, or any of them, he ſhall bring ſuch ſuſpected perſons before any juſtice or chief magiſtrate, and ſuch ſuſpected perſon ſhall make proof before ſuch juſtice or chief magiſtrate, to his ſatisfaction, that ſuch trees, timber, timber wares, wood and underwood, and the bark with which ſuch wool, thread or yarn was reſpectively coloured, were fairly and honeſtly bought by ſuch ſuſpected perſon, or given to him; or in default thereof, ſuch ſuſpected perſon ſhall be judged, and ſhall ſtand convicted of the breach of this act, and ſhall be ſubject to the ſeveral penalties above inflicted for the firſt, ſecond and third offences before mentioned.

Treble damages for receiving ſtolen timber &c.

XI. *ſect.* 14. If it ſhall appear upon oath to any juſtice of the peace or chief magiſtrate, that any perſons have bought or received any ſuch trees, timber, timber ware, wood, underwood, hedgewood, bark, rind or coat of trees, from any perſons whom the perſon ſo buying or receiving the ſame had juſt cauſe to ſuſpect to have ſtolen or unlawfully come by the ſame, it ſhall be lawful for ſuch juſtice of the peace or chief magiſtrate to award the party who bought the ſame to pay the treble value thereof to the perſons from whom the ſame were ſtolen or unlawfully taken, ſo as ſuch treble value doth not exceed the ſum of thirty ſhillings, and in default of payment, to levy the ſame by diſtreſs and ſale of the goods of ſuch perſon by warrant under the hand of ſuch juſtice of the peace or chief magiſtrate; and if ſuch treble damages ſhall exceed thirty ſhillings, then ſuch juſtice or chief magiſtrate ſhall bind over ſuch perſon to the next quarter-ſeſſions; and the juſtices at ſuch ſeſſions ſhall have power to aſſeſs and aſcertain ſuch treble value, and to make ſuch order for the levying thereof by diſtreſs and ſale of ſuch offenders goods as to them ſhall ſeem meet.

The clauſes of this act, which are omitted, were to explain and amend the clauſes of the act 10 Will. 3. cap. 12. *which were repealed by* Stat. 8 Geo. 1. cap. 8. *and are thereby abrogated or become uſeleſs.*

Uſing or ſelling gads.

XII. *Stat.* 9 *Ann. cap* 5. *ſect.* 5. Any perſon who ſhall cut or make uſe of any gads or wyths, on their plows, cars, carts, harneſs, tackle or otherwiſe, or in whoſe poſſeſſion any gads or withs ſhall be found either ſelling or uſing the ſame, ſhall for every gad or with ſo cut, uſed or found, forfeit 2 d. to be immediately paid to the informer by the ſaid offenders after information given, and if the ſaid offenders ſhall refuſe immediately to pay the ſame, the next juſtice of the peace or other chief magiſtrate within any town or corporation is required by warrant to cauſe the ſame to be levied of the goods of the offenders, and if there is no juſtice of the peace or other chief magiſtrate near the place where ſuch gads or wyths are found or ſeized, it ſhall be lawful for the conſtable of the pariſh, and he is required, where the ſaid information ſhall be made, to demand the payment of the penalties hereby impoſed, and if the perſons with whom ſuch gads or withs ſhall be found, ſhall neglect to make ſuch payment, ſuch perſons ſo offending, ſhall be carried before the next juſtice of the peace who is required to levy double the ſum hereby directed for ſuch offence, by ſale of the goods of the offender as before directed.

Whipping offenders.

(2) And in caſe no ſuch diſtreſs can be found of ſuch offender, ſuch juſtice ſhall by warrant under his hand and ſeal require the petty conſtable of the next pariſh wherein there is a market-town, to whip ſuch offender through the market of ſuch town between the hours of ten and twelve in the day time, until the blood ſhall come.

XIII. *ſect.*

XIII. *ſect.* 7. No perſon ſhall be proſecuted for any offence before mentioned, unleſs the offenders be proſecuted within one month after the offence committed, and this act *ſhall* be read at every aſſiſes and ſeſſions. Proſecution in one month.

The other clauſes of this act are omitted for the reaſons mentioned at the end of the preceding act.

XIV. *Stat.* 2 *Geo.* 1. *cap.* 16. *ſect.* 10. It ſhall be lawful for any perſon to ſeize to his own uſe any gads or wyths which they ſhall find in any fair, market, or place, and the perſons in whoſe poſſeſſion ſuch gads or wyths are found, ſhall be carried before ſome juſtice of the peace living near the place where ſuch ſeizure is made, which juſtice is required by warrant to command the petty conſtable of the next pariſh wherein there is a market-town, to whip ſuch offender through the market of ſuch town, between the hours of ten and twelve in the day until the blood ſhall come. Seizing gads and whipping offenders.

XV. *Stat.* 8 *Geo.* 1. *cap.* 8. *ſect.* 1. The ſeveral clauſes in the act 10 *Will.* 3. *cap.* 12. herein recited ſhall be repealed, * and all ſubjects are diſcharged all fines, &c. other than ſuch as have been already paid, and all puniſhments that may be inflicted by the ſaid clauſes in the ſaid act. Repeal of clauſes 10 W. 3. c. 12.

* *Theſe clauſes are omitted in the abridgement of that act.*

XVII. *ſect.* 3. No perſon ſhall make uſe of any part of any ſaplin or tree for a bow for a car, or any ſaplin, gad, or any piece of ſtick or wood for a back-band for a car, or ſcollops of oak or aſh for thatching of houſes, or ſhall make uſe of any oak ſaplin for walking-ſticks, handles of whips or ſwitches, under the penalty of forfeiting 5 *s.* to be recovered from and paid by ſuch offender being convicted of any of the ſaid offences by any juſtice or the chief magiſtrate of any city or town-corporate, upon the oath of one credible witneſs, one moiety thereof to the informer, the other moiety to the uſe of the poor of the pariſh where ſuch conviction ſhall be, and in default of payment of the ſaid forfeiture, ſuch offender ſhall be publickly whipt in ſome market-town by order of ſuch juſtice or chief magiſtrate, by warrant for that purpoſe to be made under their hands and ſeals reſpectively, and all magiſtrates of all cities, towns-corporate and market-towns, and all juſtices of the peace in their reſpective counties are required to put this and all clauſes in any former law prohibiting the uſe of wyths and gads in execution. Saplins. Whipping.

XVIII. *Stat.* 1 *Geo.* 2. *cap.* 18. *ſect.* 18. Is ſhall be lawful for every biſhop, dean, dean and chapter, archdeacon, prebendary and other dignitary, eccleſiaſtical perſon, vicar, maſter or governor and fellows of any college, maſter, guardian or other governor of any hoſpital and their ſucceſſors, to enter into any contract with any tenant to allow ſuch tenant for his charge and care in incloſing and preſerving any wood not being timber, and being at the time of the ſaid agreement unincloſed, any proportion of the value thereof, not exceeding a third part of what ſuch wood ſhall be ſold for at the time of cutting it down, and all ſuch agreements or contracts ſhall be binding on the ſucceſſors of every ſuch biſhop, and other bodies corporate before named. Contracts for preſerving woods.

XIX. *ſect.* 19. Provided that if the tenant who hath incloſed or preſerved the wood ſhall not be ſuffered or willing to renew his leaſe, but it ſhall by any means run out before ſuch tenant hath had the benefit of ſuch contract or agreement, the ſaid tenant ſhall receive of the perſons to whom the freehold upon the determination of ſuch leaſe ſhall belong reſpectively, the third part of the real value of ſuch wood at the time of his leaving the ſame. Satisfaction to tenants.

Saplins uſed in carriages.

XX. *Stat.* 21 *Geo.* 2. *cap.* 13. *ſect.* 15. Whereas the young timber-trees and ſaplins are greatly deſtroyed by making bows and backbands thereof for cars and twiſting the ſame into gads; all cars and carriages making uſe of any part of any ſaplin or tree as for a bow or backband, or twiſted into gads for backbands, halters, traces to draw by or long gads, ſhall for paſſing through any turnpike gate, pay one penny half penny, over and above the toll required by any act now in force; and every horſe carrying any pack tied with gads, ſhall pay one penny, over and above the toll required by any act now in force, for paſſing through any turnpike gate.

XX. *ſect.* 16. This act ſha'l be deemed a public act.

Tenants not impeachable of waſte.

XXII. *Stat.* 5 *Geo.* 3. *cap.* 17. *ſect.* 1. *Whereas the diſtreſs this kingdom muſt ſoon be in for want of timber, is moſt obvious: and whereas it is equal to inheritors, whether tenants do not plant, or have a property in what they plant*, it *is* enacted, that from the 1ſt day of September 1766, tenants for lives renewable for ever, paying the rents and performing the other covenants in their leaſes, ſhall not be impeachable of waſte in timber-trees or woods which they ſhall hereafter plant; any covenant in leaſes or ſettlements heretofore made, to the contrary notwithſtanding.

Tenants for lives, &c.

XXIII. *ſect.* 2. From the time aforeſaid, any tenant for life or lives, by ſettlement, dower, courteſy, jointure, leaſe, or any office, civil, military, or eccleſiaſtical, impeachable of waſte, or any tenant for years, exceeding 12 years unexpired, ſhall plant ſally, ozier, or willows, the ſole property of ſuch, ſhall, during the continuance of the term, veſt in the tenant, and he may cut and fell the ſame, under the reſtrictions hereafter mentioned.

Planting timber trees.

XXIV. *ſect.* 3. And if ſuch tenant ſhall plant any timber-trees of oak, aſh, elm, fir, pine, walnut, cheſnut, horſe-cheſnut, quicken or wild aſh, alder, poplar, or other timber-trees, ſuch tenant, during the term, ſhall be intitled to a houſe-boot, plow-boot, cart-boot, and car-boot of ſuch trees by him planted, and at the expiration of the term, or where ſuch trees ſhall have attained maturity, which ſhall firſt happen, ſhall be intitled to the ſaid trees, or the value of them, according to the directions hereafter mentioned; any covenant heretofore made, law or uſage to the contrary notwithſtanding.

Certificates of planting.

XXV. *ſect.* 4. Provided, that each perſon ſo planting, ſhall, within ſix months next after ſuch planting, lodge with the clerk of the peace of the county where ſuch plantation is made, a certificate under the hand of the tenant, containing the number and kind of the trees planted, their height, and years growth at the time of planting, and a clear deſcription of the places, and manner wherein they ſhall be planted, which certificate ſhall be kept on a ſeparate file among the records of the county, and entered in an alphabetical book, by the denomination of the land in the ſaid county; and ſuch certificate, or a copy thereof, atteſted by the acting clerk of the peace, ſhall be evidence of notice of ſuch plantation in all courts.

Fee for certificates, &c.

XXVI. *ſect.* 5. For filing of which certificate, alphabeting the ſame in the book, and making and atteſting a copy thereof, the clerk of the peace ſhall receive a fee of 1 s. and no more; and for a copy of ſuch certificate 6 d. and no more; and to which book and certificate all perſons may reſort during each quarter-ſeſſions to be held for ſuch county, without any fee.

Uncertain term.

XXVII. *ſect.* 6. In all caſes, where the expiration of the term of the tenant is uncertain, the tenant paying the rent, and performing the other covenants in his leaſe, ſhall be at liberty for the ſpace of one year next after the expiration of his term, to enter on the lands, and cut and fell in due ſeaſons, all trees ſo planted and

and regiſtered, and the ſame to manufacture as needful on the lands, for the ſpace of one year next after ſuch felling, making reaſonable ſatisfaction to the inheritor for the treſpaſs to be committed by felling, coaling, or manufacturing the ſame.

XXVIII. *ſect.* 7. And where the expiration of the term is certain, the tenant, during the laſt year of his term, paying the rent and performing the covenants, may in like manner cut and carry away ſuch trees ſo planted and regiſtered. Right to cut timber, &c.

XXIX. *ſect.* 8. Provided that if any perſon intitled to the reverſion and inheritance of the lands immediately, or immediately ſhall be inclined to purchaſe ſuch trees, ſuch perſon ſhall be at liberty, during the laſt year ſave one of the term where the expiration is certain, and within ſix kalendar months after the expiration of a term for life, or on any uncertain contingency, to apply by petition to the juſtices of the peace of the county at their quarter-ſeſſion, and ſet forth their title and intention, giving the tenant twenty one days notice, and upon entering into a recognizance with ſufficient ſecurties, conditioned to pay ſuch tenants ſuch ſums as ſhall be adjudged to be the value of the ſaid trees, according to the rules of this act, the property of the trees ſhall from the time of ſuch notice veſt in the petitioner. Right to purchaſe timber, &c.

XXX. *ſect.* 9. And the juſtices ſhall, at the ſame or enſuing ſeſſion, by a jury of freeholders, of the county, aſcertain the value of the ſaid trees when felled, over and above the expence of felling, and the needful compenſation to be made as aforeſaid, if any ſuch be, which with the record of ſuch judgment and recognizance, ſhall be, by the juſtices, at the inſtance of the party intereſted, certified into the court of chancery, and execution ſhall iſſue thereupon, as uſual on recognizances taken before a maſter of that court, but if ſuch petitioner ſhall fail to give ſuch ſecurity at ſuch ſeſſion, according to ſuch notice, the property of ſuch trees ſhall remain in the tenant. Value to be tried by a jury.

XXXI. *ſect.* 10. If more than one perſon intitled to ſuch reverſions ſhall petition, that perſon ſhall be preferred who has the moſt immediate title to the reverſion. Several perſons intitled.

XXXII. *ſect.* 11. This act ſhall not extend to leaſes to be made by guardians of minors, or cuſtodees of lunaticks or idiots, or to any perſon in poſſeſſion, as creditors by mortgage, *cuſtodium*, *elegit*, or otherwiſe, or deriving under ſuch only, or to any tenant who ſhall be evicted for non-payment of rent. Perſons excluded.

XXXIII. *ſect.* 12. Provided that where the reverſion belongs to a minor, and the court of chancery ſhall adjudge that it is for the benefit of the minor to purchaſe ſuch trees, the guardian ſhall have allowance for what he pays, and expences for ſuch purchaſe. Guardians of minors, &c.

XXXIV. *ſect.* 13. If the perſon purchaſing ſuch trees ſhall be tenant for life, or in tail impeachable of waſte, ſuch purchaſer ſhall ſtand in the place of the planter, and ſuch trees, if not felled by him during the ſubſiſtance of his title, ſhall be felled or valued according to this act. Purchaſers, &c.

XXXV. *ſect.* 14. *And in order to aſcertain what compenſation ſhall be made by ſuch tenant, intitled by the rules of this act to fell trees after the expiration of his term,* it ſhall be lawful for the tenant to petition the juſtices, giving the reverſioner like notice, and on the tenant giving like ſecurity by recognizance, the court ſhall, by a jury, aſcertain the damages, and the like remedy ſhall be on the buyer as before mentioned. Compenſation to reverſioners.

XXXVI. *ſect.* 15. The fees to be taken by the clerk of the peace for filing and entering every petition, 6 d. for filing and copying every affidavit, 6 d. for making and filing every recognizance, 2 s. 6 d. for rule for trial and precept to the ſheriff, each party, 1 s. for making, recording, and certifying the ſame to chancery, 6 s. 8 d. Fees to the clerks of the peace.

Exporting wool, &c.

I. *Eng. Stat.* 12 *Car.* 2. *cap.* 32. *ſect.* 2. No perſon ſhall export out of England, Wales or Berwick, or from the iſles of Jerſey or Guernſey, with Sark and Alderney, being under the government of Guernſey, or out of Ireland, into any parts out of the dominions aforeſaid, any ſheep or wool of the breed or growth of England or Ireland, or dominions aforeſaid, or any woolfels, mortlings or ſhorlings, or any yarn of wool, or any woolflocks, fullers-earth or fulling-clay; nor ſhall pack or load upon any horſe, cart or carriage, or lay on board any ſhip or veſſel, any ſuch ſheep, wool, &c. to the intent to export the ſame.

Iſles of Jerſey, &c.

II. *ſect.* 3. No wool, woolfells, mortlings, ſhorlings, yarn of wool, woolflocks, fullers-earth, or fulling-clay, ſhall be exported out of England, Wales or Ireland, unto the iſles of Jerſey or Guernſey, Sark, or Alderney, except as in this act ſhall be appointed.

Penalties for offences.

III. *ſect.* 4. All offences aforeſaid ſhall be ſubject to the penalties following, viz. the ſheep, wools, &c. ſhall be forfeited, and every offender ſhall forfeit 20s. for every ſheep, and 3s. for every pound of wool, woolfells, mortlings, ſhorlings, yarn of wool, wool-flocks, fullers-earth, or fulling-clay.

Owners of veſſels

(2) And the owners of the veſſels knowing ſuch offence, ſhall forfeit all their intereſt in the ſhips; and the maſter and mariners knowing ſuch offence, and willingly aſſiſting thereunto, ſhall forfeit all their goods, and have impriſonment three months; one moiety of which penalties ſhall be to the King, and the other moiety to him that will ſue for the ſame in any of his Majeſty's courts of record, or before the juſtices of aſſiſe, or in the quarter-ſeſſions of the peace.

Diſabilities on conviction.

IV. *ſect.* 5. If any perſon ſhall tranſport any ſheep, wool, &c. contrary to this act, and be thereof convicted, he ſhall be diſabled to require any debt or account of any factor or others, for any debt or eſtate belonging to ſuch offender; provided that this act ſhall not take any greater penalties inflicted by any former act. *See Tit.* **Sheep**, *Par.* XVII.

Place of trial.

V. *ſect.* 6. Every offence contrary to this act may be inquired of, heard and determined, in the county where ſuch ſheep, wool, &c. ſhall be packed or laid aboard, or in the county where ſuch offenders ſhall be apprehended for ſuch offence.

Proſecution in a year.

VI. *ſect.* 7. No perſon ſhall be impeached for any offence aforeſaid, unleſs ſuch perſon be proſecuted within one year next enſuing ſuch offence.

Seizure of wool, &c.

VII. *ſect.* 8. It ſhall be lawful for any perſon to ſeize to his own uſe, and to the uſe of the King, all ſuch ſheep, wool, &c. as he ſhall diſcover to be laid aboard in any ſhip or boat, or to be laid on ſhore near the ſea or any navigable river, to the intent to be exported; and ſuch perſon as ſhall ſeize any ſuch ſheep, wool, &c. ſhall have the moiety thereof.

Seizer not to give evidence.

VIII. *ſect.* 9. Such perſon as ſhall make any ſuch ſeizure, ſhall not be admitted to give evidence upon his oath againſt any perſon indicted by virtue of this act.

Aliens ſhips forfeited.

IX. *ſect.* 10. Every ſhip or boat whereof any alien born, or any natural born ſubjects not inhabiting within the realm, ſhall be owner or part-owner, and wherein any ſheep, wool, &c. ſhall be ſhipped contrary to this act, ſhall be forfeited to the King.

Lambskins dreſſed.

X. *ſect.* 11. This act ſhall not extend to any lamb-ſkin ready dreſſed, fit for linings.

Woolfels and flock beds.

XI. *ſect.* 12. This act ſhall not extend to the tranſporting of any ſuch woolfels or pelts with wool upon them, or to any beds ſtuffed with flocks, which ſhall be employed in any ſhip for neceſſary uſe, about the ordnance or other things, or for the uſe of the perſons in ſuch ſhip, and which ſhall not be ſold in foreign parts; nor to the

the exporting of any wether-ſheep or of the wool growing upon any ſuch, for the food of the company or paſſengers.

XII. *Eng. Stat.* 13 *Car.* 2. *cap.* 18. *ſect.* 7. No perſon ſhall preſs together with ſcrues or other engines, into any ſack, pack, bag, or other wrapper, or ſhall put or pack any wool or yarn of wool into any hogſhead, cheſt, or other caſk or veſſel, or ſhall carry or lay near the coaſts of the ſea, or any navigable river, or any place near adjoining, any wool, wool-flocks or yarn of wool, with intention to export the ſame out of England, Ireland, Berwick or Wales, into foreign parts, under penalty of forfeiture of all ſuch wool, &c. or the value thereof. Preſſing wool with ſcrues.

XIII. *ſect.* 8. No tobacco-pipe clay ſhall be exported out of England, Berwick, Ireland or Wales, into foreign parts, or into any place out of the kingdom, under the penalty of 3 s. for every pound. Pipe clay.

XIV. *ſect.* 9. No packs, ſacks, bags, or caſk of any wool, wool-fells, mortlings, ſhorlings, yarn of wool, wool-flocks, fullers-earth, fulling-clay, or tobacco-pipe clay, ſhall be loaden on any horſe or carriage, nor conveyed by land, within England or Ireland, but in the day time and at ſeaſonable hours, viz. from the firſt of March to the 29th of September yearly, before four in the morning and eight in the evening, and from the 29th of September to the firſt of March, between ſeven in the morning and five in the evening, under penalty of forfeiture of ſuch goods or the value thereof; one moiety of all which forfeitures to be to the King, and the other moiety to him that will ſue for the ſame in any court of record. Carriage in the day time only.

XV. *ſect.* 10. This act ſhall not make void any clauſes in 12 *Car.* 2. *cap.* 32. or prohibit the loading on board of any ſhip any wether-ſheep, wool, wool-flocks or other goods, that by the aforeſaid act is permitted for the uſe or proviſion of ſuch ſhip. The act 12 C. 2. c. 32.

XVI. *ſect.* 11. All ſuch exportation of the goods in this act mentioned, is declared to be a common nuſance. Common nuſance.

XVII. *ſect.* 12. Juſtices of aſſiſe, juſtices of gaol-delivery, and juſtices of peace, ſhall inquire of the premiſſes in their quarter-ſeſſions, and hear and determine the ſame; and all mayors, bailiffs, and other head officers, ſhall inquire of offences within this act, and hear and determine the ſame. Inquiry of offences.

XVIII. *Eng. Stat.* 1 *Will. & Mar. ſtat.* 1. *cap.* 32. *ſect.* 4. All cocquets for carrying wool from any port within England, ſhall be written upon paper and not parchment, and ſigned by three of the chief officers, and all certificates of landing the ſame again in any other of the ſaid ports, or from Ireland, ſhall be ſigned in like manner, and all ſuch wool both at ſhipping and landing, ſhall be weighed in the preſence of the officers giving ſuch cocquets and certificates, and the exact weight, marks and numbers of wool ſo ſhipped and landed, ſhall be expreſſed in both cocquet and certificate. Cocquets to be written on paper.

XIX. *ſect.* 5. Such officers as ſhall not obſerve the directions before mentioned, ſhall be adjudged as aiders and abettors of the tranſportation, and ſuffer the penalties contained in the ſtatutes made in the 12th and 13th and 14th years of King Charles the ſecond againſt tranſportation of wool. Penalty on officers.

XX. *ſect.* 8. If any owner of any ſhip, or any maſter or mariner knowing of the exportation of any ſheeps-wool, woolfells, mortlings, ſhorlings, yarn made of wool, wool-flocks, fullers-earth, fulling-clay or tobacco-pipe-clay, contrary to this and the other acts above mentioned, ſhall within three months after the knowledge thereof, or after his return into England or Ireland, &c. give the firſt information before any of the barons of exchequer in England or Ireland, or before the head officer of any port where he ſhall firſt arrive, upon oath, of the number and quantity of ſuch ſheeps-wool, Maſters of ſhips diſcovering.

wool, woolfells, &c. ſo exported and by whom, where and in what ſhip, and ſhall be ready upon reaſonable warning, by proceſs to juſtify and prove the ſame, ſuch owners, maſters, and mariners, ſhall not be liable to any the penalties or forfeitures in this or any other act for the offence aforeſaid, but ſhall receive ſuch benefit as is allowed by the precedent acts.

Common bail and general iſſue.

XXI. *ſect.* 10. If any action ſhall be proſecuted againſt any perſon for what he ſhall do in purſuance of this act, ſuch perſons ſo ſued may file common bail or enter a common appearance, and plead the general iſſue *not guilty*; and if the plaintiff become non-ſuit, or ſuffer diſcontinuance, or if a verdict paſs againſt him, or if upon a demurrer judgment paſs againſt him, the defendant ſhall recover treble coſts and damages.

Regiſter of wool from Ireland.

XXII. *ſect.* 11. A regiſter *ſhall* be kept at the cuſtom-houſe, London, of all the wool imported from Ireland, and alſo of what wool ſhall be ſent from one port to another, the weights and numbers, the ſhip, maſter's name, owner's name, and to whom conſigned. This act to continue for three years.

The act 1 W. & M. continued.

XXIII. *Eng. Stat.* 7 *Will.* 3. *cap.* 28. *ſect.* 3. The act 1 *Will. & Mar. cap.* 32. ſhall continue.

Account of wool exported from Ireland

XXIV. *ſect.* 6. The commiſſioners or farmers of the cuſtoms in Ireland ſhall once every ſix months, tranſmit unto the commiſſioners of cuſtoms in England, an account of all wool exported from any of the places in Ireland, from whence the ſame may be exported, the quantity and weight thereof, and by whom, and in what ſhips, and where conſigned, and the names of the perſons ſigning the certificates of the landing the ſame in England, and the date of the certificates, and where the ſame was landed, as alſo the quantity contained in the certificates.

Certificates of landing wool.

XXV. *ſect.* 7. All certificates given for the landing of wool from Ireland, or from one port to another in England, ſhall be written upon paper and not parchment, and the quantities ſhall not be obliterated or interlined.

Exporting wool to England.

XXVI. *Eng. Stat.* 10 *Will.* 3. *cap.* 10. *ſect.* 1. No perſon ſhall export from Ireland, into any places, other than the parts within England or Wales, any wool, woolfells, ſhorlings, mortlings, wool-flocks, worſted, bay or woollen yarn, cloth, ſerge, bays, kerſeys, ſays, frizes, druggets, cloth-ſerges, ſhallons, or any other drapery, ſtuffs or woollen manufactures, made up or mixed with wool or wool-flocks, or ſhall load upon any horſe or carriage, or lay on board any ſhip in any place of Ireland any ſuch wool, &c. to the intent to export the ſame except as aforeſaid.

Penalties on offenders.

XXVII. *ſect.* 2. All offenders aforeſaid ſhall be ſubject to the penalties following, viz. the wool, &c. ſhall be forfeited; and the offenders ſhall forfeit 500 l. and every ſhip or bottom wherein any of the ſaid commodities ſhall be ſhipped or laid on board, ſhall be forfeited; and the maſters and mariners, or any porters or other perſons knowing ſuch offence and aſſiſting therein, ſhall forfeit 40 l. of which one moiety ſhall be to him that ſhall ſue in any of his Majeſty's courts of record in England or Ireland, and the other moiety to the encouragement of ſetting up the linen manufactures in Ireland, to be diſpoſed of by the court of exchequer there.

Pleading acquittal in bar.

XXVIII. *ſect* 3. No acquittal nor any ſuit unleſs the offender be thereupon convicted in Ireland, for any offence provided againſt in this act, ſhall be pleaded in bar or delay of any ſuit or proſecution in England.

Seizing wool, &c.

XXIX. *ſect.* 4. It ſhall be lawful for any perſon to ſeize and convey to his Majeſty's next warehouſe, all ſuch wool, &c. as he ſhall diſcover to be laid on board any ſhip, or to be carried or laid on ſhore near the ſea, or any navigable river, to the

the intent to be exported out of Ireland contrary to this act, or to be laden upon any horſe or carriage to the intent to be exported contrary to the intent hereof; and it ſhall be lawful for any perſon to ſeize every ſuch ſhip wherein any of the ſaid commodities ſhall be ſhipped contrary to this act.

XXX. *ſect.* 5. For every ſhip which ſhall ſail from Ireland, in order to export any of the commodities aforeſaid to this Kingdom, bond ſhall be given by two known inhabitants, of or near the place to the chief officers of the cuſtoms belonging to the port in Ireland, in double the value of the goods, before the ſhip ſhall be permitted to lade any of the commodities aforeſaid, with condition, that if the ſhip ſhall take on board any of the ſaid goods in Ireland, all the ſaid goods ſhall be brought by the ſame ſhip to ſome port in England or Wales, and ſhall there unlade the ſame and pay the duties thereof, the danger of the ſeas excepted; and every ſhip which ſhall lade any of the ſaid goods until ſuch bond be given, ſhall be forfeited as aforeſaid. Bond for double value.

XXXI. *ſect.* 6. A regiſter ſhall be kept at the cuſtom-houſe in London of all the ſaid goods imported from Ireland into any of the ports within this kingdom or Wales, with the particular qualities and quantities thereof, the maſter and owners names, and to whom conſigned. Regiſter of goods from Ireland.

XXXII. *ſect.* 7. All cockets and warrants for carrying the ſaid goods from Ireland, to any port in this kingdom, ſhall be written upon paper and not parchment, and ſigned by three of the chief officers of ſuch port, and all certificates of landing the ſame ſhall be ſigned in like manner, and all the goods aforeſaid, both at ſhipping and landing, ſhall be examined by the ſurveyor or ſearcher, or landwaiter attending the ſhipping or diſcharge; and the quantities and qualities, marks and numbers, ſhall be indorſed upon the cocket, and upon the warrant for landing the ſame, and alſo upon the certificates given for diſcharging the bonds taken in Ireland. Cockets to be written on paper.

XXXIII. *ſect.* 8. The commiſſioners of the revenue, or farmers of the cuſtoms or revenue of Ireland, ſhall once every ſix months, or within thirty days after the end thereof, tranſmit unto the commiſſioners or farmers of his Majeſty's cuſtoms in England, an account of all ſuch goods exported from Ireland, the qualities and quantities thereof, and duplicates of the bonds taken for lading the ſame, and by whom and in what ſhips exported, and to what port in England or Wales conſigned, and the names of the perſons ſigning the certificates of the landing the ſame, and the date of the certificates, and where the ſame were laden, and the qualities and quantities, marks and numbers, contained in the certificates. Account of goods exported from Ireland.

XXXIV. *ſect.* 9. All ſuch certificates ſhall be written upon paper and not upon parchment, and the quantities and qualities, marks and numbers, ſhall not be obliterated or interlined. Certificates on paper.

XXXV. *ſect.* 11. If any commiſſioner or farmer of the revenue of Ireland, or officer employed under them, ſhall ſuffer to be taken any entry outward, or ſign any cocket, warrant or ſufferance for the ſhipping any ſuch goods except as aforeſaid, or ſhall willingly permit the ſame to be done, ſuch commiſſioner, &c. ſigning ſuch cocket, &c. or paſſing ſuch entry or conniving thereat, or who ſhall neglect to perform all other duties required by this act, ſhall forfeit his office and 500*l.* to be recovered as aforeſaid. Penalty on officers.

XXXV. *ſect.* 12. Every offence contrary to this act may be inquired of, heard and determined, in the county where any ſuch goods ſhall be laden or put on board, or in the county either in England or Ireland, where ſuch offender ſhall be apprehended for ſuch offence, or where any of the goods or the ſhip ſhall be ſeized or brought in, and the trial ſhall be in ſuch manner as if the offence had been done in the ſame county. Places of trial.

Common bail and general iſſue.

XXXVI. *ſect.* 13. If any action be commenced againſt any perſon for what he ſhall do in purſuance of this act, ſuch perſon may file common bail, or enter a common appearance, and plead the general iſſue not guilty; and if the plaintiff become nonſuit, &c. ſhall recover treble coſts and damages.

Grants of bonds, made void.

XXXVII. *ſect.* 15. The penalties of the bonds to be given in Ireland for any of the commodities aforeſaid to be brought into this kingdom ſhall not be granted over; and all ſuch grants ſhall be void.

Cruizers appointed.

XXXVIII. *ſect.* 16. The commiſſioners for executing the office of high admiral ſhall appoint two ſhips of the fifth rate, and two of the ſixth rate, and eight armed ſloops, conſtantly to cruize on the coaſts of England and Ireland, particularly between the north of Ireland and Scotland, with orders to ſeize all ſhips which ſhall export wool with intent to carry it into foreign parts; and the commiſſioners aforeſaid ſhall ſend a liſt of ſuch ſhips and ſloops, and the names of the commanders, with copies of their inſtructions to the commiſſioners of the cuſtoms in London, within ten days after ſuch orders given.

Seizures forfeited on condemnation.

XXXIX. *ſect.* 17. All wool ſhips or boats ſo ſeized ſhall be forfeited, and ſuch wool ſhall be lodged in the King's warehouſe in ſuch port where it ſhall be ſeized, or into which it ſhall be brought, and being condemned ſhall be expoſed publickly to ſale after 21 days notice being given in writing at the cuſtom-houſe of the port, and on the Royal Exchange of London, by inch of candle, to the beſt bidder; and all ſhips that ſhall be condemned as aforeſaid, ſhall be expoſed to ſale in like manner; and one fourth part of the produce of the wool ſhips and boats, ſhall be to the commander, one other fourth part to the officers of the ſhip that took the ſame, one other fourth part to the mariners, to be equally divided by the collectors of the port, or ſuch perſons as ſhall be authorized to pay the ſame, and the other fourth part to his Majeſty, after a deduction made out of the laſt fourth part of all the charges of proſecution.

Commanders of ſhips.

XL. *ſect.* 18. Every commander of ſuch ſhip or ſloop neglecting his duty, or compounding for any wool ſhip or boat, or conniving at the exportation of wool, ſhall forfeit all pay due, and ſuffer ſix months impriſonment, and be incapable of ſerving his Majeſty in any office in the navy.

This act to be given in charge.

XLI. *ſect.* 21. The lord lieutenant or lords juſtices of Ireland, are required to give direction in council that this act be given in charge by the judges at all the aſſiſes; which judges are to take particular accounts throughout their circuits, of the execution of this act, and at their returns to Dublin ſhall acquaint the lord lieutenant or lords juſtices in council, with all informations they ſhall have received of any breach of the act, or faults in the officers; of which the ſaid chief governors ſhall once every year lay an account in writing before the King in council.

Diſpoſal of penalties.

XLII. *Brit. Stat.* 3 *Geo.* 1. *cap.* 21. *ſect.* 4. The moiety of all penalties by 10 & 11 *Will.* 3. *cap.* 10. inflicted for preventing the exportation of wool and other woollen goods out of Ireland, other than into England or Wales, after a deduction made out of the ſaid moiety of the charges of proſecution, ſhall be to the uſe of his Majeſty.

Trial of informations.

XLIII. *ſect.* 5. All actions and informations which ſhall be proſecuted by virtue of any act for preventing the exportation of wool or woollen manufactures from Ireland, ſhall be tried in any of the four courts at Dublin, by a jury of freeholders to be ſummoned out of any other county than that wherein the fact was committed.

Indemnity to informers.

(2) And the firſt three who have been aſſiſting in exporting of wool, or woollen commodities, who ſhall inform any juſtice of peace thereof, whereby the puniſhment may

may be inflicted, ſuch diſcoverer not being the owner or part-owner thereof, ſhall not ſuffer any of the puniſhments.

XLIV. *Brit. Stat.* 4 *Geo.* 1. *cap.* 11. *ſect.* 6. If any perſon ſhall be in priſon for want of bail, for unlawful exportation of wool or woolfels, and ſhall refuſe to appear or plead to a declaration or information delivered to ſuch perſon, or to the gaoler or turn-key, by the ſpace of one term, judgment ſhall be entered againſt him by default. Judgment by default.

(2) And in caſe judgment be obtained againſt any ſuch perſon, and he ſhall not pay the ſum recovered within three months after entering up of ſuch judgment, the court ſhall by order cauſe ſuch offender to be tranſported, in the ſame manner as felons for ſeven years; and if ſuch offender ſhall return into Great Britain or Ireland before the expiration of the ſeven years, he ſhall ſuffer as a felon without benefit of clergy. Tranſportation for ſeven years.

XLV *Brit. Stat.* 5 *Geo.* 1. *cap.* 11. *ſect.* 14. The like proviſion made for preventing the exportation of wool in 1 *Will. & Mar. ſtat.* 1. *cap.* 32. is directed to extend to woolfels, mortlings, ſhortlings, yarn of wool, woolflocks, fullers earth, fulling clay, and tobacco pipe clay, carried coaſtwiſe. Goods carried coaſtwiſe.

XLVI. *ſect.* 21. All ſuch wool and other the commodities mentioned in 10 & 11 *Will.* 3. *cap.* 10. which ſhall be carried or laid on ſhore near the ſea, or any navigable river, to the intent to be exported out of Ireland contrary to that act, ſhall be forfeited, and the offenders ſhall be liable to like penalties as perſons by that act are ſubject to for exporting of wool, &c. Goods laid near the ſhore.

XLVII. *Brit. Stat.* 6 *Geo.* 1. *cap.* 21. *ſect.* 64. The commiſſioners or ſub-commiſſioners of exciſe reſpectively, in their reſpective diſtricts in Ireland, or the major part of them, are required to hear and determine all offences againſt any clauſe contained in this or any other act of parliament now in force in Ireland, made for preventing the unlawful exportation of wool, woolfells, ſhortlings, mortlings, woolflocks, worſted, bay, or woollen yarn, cloth, ſerge, bays, kerſies, ſayes, frizes, druggets, cloth-ſerges, ſhalloons, or any other drapery, ſtuffs, or woollen manufactures, made or mixed with wool or wool-flocks, and manufactured in Ireland; which commiſſioners or ſub-commiſſioners ſhall proceed in a ſummary way, and give judgment, and levy the penalties and forfeitures thereupon, in like manner as they are enabled to proceed, give judgment, and levy the penalties and forfeitures in caſes of exciſe in Ireland, by any act of parliament now in force in that kingdom. Commiſſioner of exciſe in Ireland.

XLVIII. *ſect.* 65. No perſon ſhall be admitted to claim property in any ſeizure that ſhall be made upon any clauſe in any act of parliament for preventing the unlawful exportation of wool from Ireland, till they ſhall firſt have given ſufficient ſecurity to the ſaid commiſſioners or ſub-commiſſioners of the diſtrict where ſuch ſeizure ſhall be made, to anſwer the penalties attending the forfeiture thereof, if ſuch ſeizure ſhall be adjudged to be good in law. Security for penalties.

XLIX. *ſect.* 66. If any perſon ſhall be proſecuted for any thing done in purſuance of this act, ſuch perſons may plead the general iſſue, &c. and if afterwards a verdict ſhall paſs for the defendants, or the plaintiffs ſhall diſcontinue their action, or be nonſuited, or judgment ſhall be given againſt them upon demurrer or otherwiſe, then ſuch defendants ſhall have full coſts againſt ſuch plaintiffs. General iſſue.

L. *Brit. Stat.* 5 *Geo.* 2. *cap.* 21. *ſect.* 1. The commiſſioners for executing the office of lord high admiral of Great Britain ſhall appoint three ſhips of the ſixth rate, and eight or more armed ſloops, conſtantly to cruize on the coaſt of Great Cruizers to be appointed.

Britain and Ireland, with orders for ſeizing all veſſels in which any worſted, bay, or woollen yarn, or any drapery, ſtuffs, or woollen manufactures, made up or mixed with wool or woolflocks, ſhall be exported or laden from Ireland into foreign parts; and the ſaid commiſſioners ſhall ſend a liſt of ſuch ſhips and ſloops, and the names of the commanders, together with copies of the inſtructions to them given, within ten days after the date of the ſaid orders, to his Majeſty's commiſſioners of the cuſtoms in Great Britain, and to the commiſſioners of his Majeſty's revenue in Ireland.

Searching ſhips.

LI. *ſect.* 2. It ſhall be lawful for the commander of every ſuch ſhip and ſloop, within the limits of the ſtation aſſigned to ſuch ſhip or ſloop, to enter and ſearch any veſſel; and if any of the ſaid prohibited commodities be found therein, and the maſter of ſuch veſſel ſhall not immediately produce a cocket or warrant licenſing the exportation thereof, to ſeize ſuch veſſel, and to carry the ſame, with the crew and cargo, into any port in Great Britain or Ireland.

Forfeiture of ſhip and goods.

LII. *ſect.* 3. Every ſuch veſſel, and all the ſaid prohibited commodities found therein, ſhall be forfeited, and the ſaid prohibited commodities ſhall be lodged in the King's warehouſe in ſuch port into which ſuch veſſel ſhall be carried, until it be condemned, and being condemned ſhall be expoſed to ſale, after twenty one days notice in writing affixed upon the cuſtom-houſe of the port, by inch of candle, to the beſt bidder; and every ſuch veſſel ſhall after condemnation be expoſed to ſale in like manner.

Diſtribution of forfeitures.

(2) And one fourth part of the produce of ſuch ſale ſhall be to the commander of the ſhip that ſhall make ſuch ſeizure, one fourth to the other officers of ſuch ſhip, one fourth to the mariners, and the other fourth to his Majeſty, after a deduction made out of the laſt fourth part for the charges of the proſecution.

Proviſion for informers.

(3) Provided, that if ſuch ſeizure be made upon the information of any perſon, ſuch informer ſhall not only be indemnified from the forfeitures, but ſhall alſo receive one fifth part of the produce of ſuch ſales, and the reſidue thereof ſhall be divided into four parts, as before directed.

General iſſue.

LIII. *ſect.* 4. If any action ſhall be commenced againſt any perſon for what he ſhall do in purſuance of this act, ſuch perſon may plead the general iſſue, &c. and if the plaintiff ſhall become nonſuit, &c. the defendant ſhall recover treble coſts.

Security on claiming.

LIV. *ſect.* 5. No perſon ſhall be admitted to claim property in any ſeizure, till he ſhall have given ſecurity by recognizance before one of the commiſſioners of the revenue in Ireland, or one of the barons of the exchequer in England, to anſwer the penalties.

Former laws confirmed.

LV. *ſect.* 7. This act ſhall not make void any other penalties inflicted by any former law upon the exportation of wool and woollen manufactures.

Subſidies on wool ſhall ceaſe.

LVI. *Brit. Stat.* 12 *Geo.* 2. *cap.* 21. *ſect.* 1. The acts, which granted the ſaid ſeveral ſubſidies, commonly called, The old ſubſidy, one third ſubſidy, and two thirds ſubſidy, upon woollen or bay yarn imported from Ireland, ſhall ceaſe.

Worſted yarn.

LVII. *ſect.* 4. Provided, that nothing in this act ſhall extend to take off the duties upon worſted yarn, being of two or more threads twiſted or thrown, or cruel, imported into Great Britain from Ireland.

Ports for wool.

LVIII. *ſect.* 5. All wool and woollen, or bay yarn, woolfells, ſhortlings, mortlings, woolflocks, worſted, yarn, cloth, ſerge, bays, kerſeys, ſays, frizes, druggets, cloth-ſerges, ſhalloons, ſtuffs, and other draperies and woollen manufactures, or mixed with wool or woolflocks, which ſhall be exported from Ireland, into the ports of this kingdom hereafter mentioned, ſhall be ſhipped off, and entered at the ports of Dublin, Waterford, Youghal, Kinſale, Cork, Drogheda, New Roſs, Newry,

Newry, Wexford, Wicklow, Sligoe, Limerick, Galway, and Dundalk, in Ireland, and from no other place within the ſaid kingdom; nor ſhall the ſame be imported into any parts of Great Britain, other than the ports of Biddeford, Barnſtaple, Minehead, Bridgewater, Briſtol, Milford Haven, Cheſter and Liverpool, in the ſame manner, as if the ſaid ports of Newry, Wexford, Wicklow, Sligoe, Limerick, Galway, and Dundalk, had been particularly named for exportation of the ſaid goods, in the act paſſed in the tenth and eleventh year of King William the third, *to prevent the exportation of wool.*

Ships of Britiſh or Iriſh built.

LIX. *ſect.* 6. No wool, or any of the ſaid goods, ſhall be loaden on board any ſhip or boat in Ireland, or imported from thence into this kingdom, but in ſuch ſhips as ſhall be of the built of Great Britain or Ireland, and which ſhall be wholly owned and manned by the ſubjects of this kingdom, or Ireland, and duly regiſtered in ſuch manner as herein after mentioned, under the penalty of the forfeiture of the ſaid goods, or the value thereof, as alſo of the ſhip, in which the ſame ſhall be laden, with all her guns, ammunition, tackle and furniture.

Regiſtry of ſhips.

LX. *ſect.* 7. No ſhip or veſſel ſhall be deemed as a ſhip of the built of Great Britain or Ireland, ſo as to be qualified to load or take on board in any of the ports of Ireland, herein appointed for that purpoſe, any wool, woollen or bay yarn, or other the ſpecies before mentioned, in order to import the ſame into the ports of Great Britain, in this act appointed for that purpoſe, until the perſons claiming property in ſuch ſhip, ſhall regiſter the ſame as followeth, that is to ſay, proof ſhall be made upon the oath, or affirmation, in caſe the perſon be a quaker, of one or more of the owners, before the collector and controller of cuſtoms in ſuch port of Great Britain or Ireland, to which ſuch ſhip ſhall belong, in the tenor following, that is to ſay,

Proof on oath.

I A. B. *do make oath (or being a quaker, do ſolemnly affirm) that the ſhip of whereof is at preſent maſter being built of tons, was built at in the year and that of and of are at preſent owners thereof; and that no foreigner, directly or indirectly hath any ſhare, part, or intereſt therein.*

Certificate of oath.

(2) A certificate of which oath or affirmation, atteſted by the collector and controller of the cuſtoms who adminiſter the ſame, under their hands and ſeals, ſhall, after having been regiſtered by them, be delivered to the maſter of the ſhip for the ſecurity of her navigation; a duplicate of which regiſter ſhall be immediately tranſmitted to the commiſſioners of cuſtoms in the port of London, in order to be entered in the general regiſter, to be there kept by them for this purpoſe.

Changing names of ſhips.

LXI. *ſect.* 8. No ſhip's name regiſtered ſhall be afterwards changed, without regiſtering ſuch ſhip again, which is required likewiſe to be done upon any transfer of property to another port, and delivering up the former certificate to be cancelled, under the ſame penalties, and in the like method, as before directed; and in caſe any alteration of property in the ſame port, by the ſale of one or more ſhares in any ſhip, after regiſtering thereof, ſuch ſale ſhall always be acknowledged by indorſement on the certificate of the regiſter, before two witneſſes, in order to prove that the entire property in ſuch ſhip remains to ſome of the ſubjects of Great Britain or Ireland, if any diſpute ariſes concerning the ſame.

Coverlids, waddings, &c.

LXII. *ſect.* 9. No coverlids, waddings, or other manufactures, made of wool ſlightly ſtitched, worked, or otherwiſe put together, ſo as the ſame may be reduced to, and made uſe of as wool again, or mattreſſes, or beds ſtuffed with combed wool, or wool fit for combing, ſhall be exported from Great Britain or Ireland, to parts beyond

yond the ſeas, under the like penalties and forfeitures which are by any law in being inflicted on perſons concerned in the exportation of wool.

Packing wool, &c.

LXIII. *ſect.* 10. No wool, woolfells, mortlings, ſhortlings, woolflocks, worſted, bay or woollen yarn, ſhall be packed up in Great Britain or Ireland, in any box, barrel, caſk, caſe, cheſt, or any other package, but in packs or truſſes of leather or canvas, commonly called Pack-cloth; and all ſuch packs or truſſes of leather or canvas ſhall be ſtamped or marked on the outſide thereof with the reſpective words Wool or Yarn, in large letters, not leſs than three inches in length, under the penalty and forfeiture of all ſuch wool, or other the goods aforeſaid, with the package thereof, and three ſhillings for every pound weight thereof, to be paid by the owner or packer of ſuch wool or yarn.

Notice to officers.

LXIV. *ſect.* 11. No wool, woolfells, mortlings, ſhortlings, combed wool, woollen or bay yarn, worſted yarn, cruel, or wool ſlightly manufactured, as aforeſaid, ſhall be laden on board any ſhip, veſſel or boat, bound to parts beyond the ſeas, or ſhall be carried or laden in order to be carried in any ſhip, coaſtwiſe, or from one port of Great Britain or Ireland to another, unleſs notice be firſt given to the commiſſioners or chief managers of the cuſtoms, or to the cuſtomer or collector, and controller of the port from which the ſame is intended to be exported, of the quantity, quality and package, together with the marks and numbers thereof, with the name of the ſhip and maſter or commander on which the ſaid goods are to be laden, as likewiſe the names of the owners of the ſaid goods, and the place of their abode, and the place and port into which the ſame are intended to be imported, and to whom conſigned.

Bond for treble value.

(2) And unleſs bond be firſt entered into, to the uſe of his Majeſty, with one or more ſufficient ſecurities, in treble the value of the goods, that the ſame ſhall (the danger of the ſeas excepted) be landed accordingly; due notice whereof ſhall be forthwith tranſmitted by the cuſtomer or collector, and controller of the port from whence the ſame ſhall be exported, to the cuſtomer or collector, and controller of the port into which the ſame is intended to be imported, and entry made, in the manner required, by this or any other act.

Licence to be taken.

(3) And unleſs a licence be alſo firſt taken under the hands of the commiſſioners or chief managers of the cuſtoms, or any three of them, or from the cuſtomer or collector, and controller where ſuch bond is giving for the landing and carrying thereof, as aforeſaid, which licence they are required to grant without any fee or other charge to the perſon demanding the ſame.

Certificate of landing goods.

(4) And ſuch bonds ſo entered into, ſhall not be diſcharged, but by producing a certificate under the hand and ſeal of the cuſtomer or collector, and controller of the port or place in Great Britain or Ireland, where ſuch goods were landed, ſetting forth the quantity, quality, and package, together with the marks and numbers thereof, with the name of the ſhip and maſter out of which ſuch goods were landed; and all ſuch bonds as ſhall remain undiſcharged by ſuch certificate after ſix months, ſhall be tranſmitted to the commiſſioners of the cuſtoms in Great Britain, or the commiſſioners of the revenue in Ireland, who are required to put them in ſuit immediately.

Forfeiture of ſhip and goods.

(5) And if any wool, woolfells, mortlings, ſhortlings, combed wool, woollen or bay yarn, worſted yarn, cruels, or wool ſlightly manufactured, ſhall be carried or laden on board any ſhip, to be carried coaſtwiſe, before ſuch bond entered into, and ſuch licence taken out as aforeſaid, and before all the directions of this and every other act made to prevent the tranſportation of any of the goods aforeſaid, ſhall be fully and duly complied with, ſo far as the ſame relate to the exporter or proprietor of ſuch goods; or if any of the ſaid goods ſhall be laden on board any ſhip bound

to

to parts beyond the ſeas, all ſuch goods as ſhall be ſo carried and laden, or the value thereof, ſhall be forfeited, together with the ſhip on which ſuch goods ſhall be ſo laden or put on board, with all her guns, ammunition, and furniture.

LXV. *ſect.* 12. Nothing herein contained ſhall extend to alter or leſſen any other ſecurity now required by law for goods carried coaſtwiſe, or to repeal or make void any law now in force in Great Britain or Ireland made to prevent the exportation of wool, or any the goods aforeſaid. Former laws confirmed.

LXVI. *ſect.* 13. None of the ſaid goods imported into this kingdom from Ireland, nor any of the ſaid goods carried coaſtwiſe within this kingdom, or Ireland, ſhall be landed or ſhipped, but in the preſence of the proper officers appointed to attend the ſame, nor at any other places than the lawful quays ſet out in the manner preſcribed by the act of frauds, paſſed in the fourteenth year of King Charles the ſecond, for England, and by the act paſſed in the ſixth year of Queen Anne, for ſettling a court of exchequer in Scotland, for that part of the united kingdom, without ſpecial leave had from the commiſſioners and officers of the cuſtoms, or at ſuch quays in Ireland as are or ſhall be appointed according to the laws of that kingdom, on pain of forfeiting the ſaid goods, or the value thereof, and three ſhillings for every pound weight of ſuch goods, to be paid by the owner thereof, or any perſon concerned in ſuch unlawful ſhipping or landing, to be proſecuted and recovered as hereafter is directed. Leave from officers.

LXVII. *ſect.* 14. It ſhall not be lawful for any perſons other than the officers of ſome of the revenues of cuſtoms or exciſe, or ſalt-duties, to enter any information of ſeizure of any wool, woolfels, or other ſpecies of goods before enumerated, as forfeited by virtue of this or any other act; nor ſhall it be lawful for any perſon to enter or procure to be entered, filed, or proſecuted, any information againſt any perſon for the recovery of any penalty or forfeiture aforeſaid, unleſs ſuch informations be filed and proſecuted in the name of his Majeſty's attorney general, or in the name of ſome officer of one of the aforeſaid revenues of cuſtoms, exciſe, or ſalt-duties in Great Britain or Ireland. Entry of informations.

(2) And if any information of ſeizure of any of the goods beforementioned, ſhall be made or proſecuted by any perſon, other than in the name of the attorney general, or in the name of ſome officer of his Majeſty's revenue as aforeſaid, the ſame, and all the proceedings thereupon had, are declared to be void; as is alſo every other information, with all the proceedings thereon, which ſhall be filed or entered for any of the penalties aforeſaid, in the names of any other perſons than as herein beforementioned. In the name of officers.

LXVIII. *ſect.* 15. Provided that nothing in this act contained, ſhall extend to take away the power given to the commanders and officers of his Majeſty's ſhips of war, or the armed ſloops appointed by the lords of the admiralty, or the lord high admiral, to guard againſt the tranſportation of wool out of Great Britain and Ireland, purſuant to *Eng. Stat.* 10 & 11 *Will.* 3. *cap.* 10. and another act *Brit. Stat.* 5 *Geo.* 2. *cap.* 21. or by any other act. Commanders of ſhips of war.

LXIX. *ſect.* 16. If any officer of the revenue ſhall make any colluſive ſeizure, or information of any of the ſaid goods, or any fraudulent or colluſive agreement, whereby the owner or claimer thereof, their agents or ſervants, may avoid the forfeitures and penalties, or any part thereof incurred by this or any other act made to prevent the tranſportation of wool, or any of the other ſpecies of goods before mentioned, he ſhall for ſuch offence forfeit two hundred pounds, and alſo be rendered incapable of ſerving his Majeſty in any employment in the revenue; and alſo the exporters, importers, and owners of the goods ſo colluſively ſeized, or with whom ſuch colluſive agreement ſhall be made, ſhall forfeit treble the value thereof, Colluſive ſeizures.

thereof, and all ſuch penalties and forfeitures ſhall be to the uſe of them who ſhall inform or ſue for the ſame by action, &c. in any of his Majeſty's courts of record at Weſtminſter, or in the court of exchequer in Scotland, or in any of his Majeſty's courts of record at Dublin.

Diſcovery of Colluſion.

LXX. *ſect.* 17. Provided that any perſon concerned in any ſuch colluſive or fraudulent ſeizure or agreement, who ſhall firſt diſcover ſuch his offence to the commiſſioners of the cuſtoms in England or Scotland, or the commiſſioners of the revenue in Ireland, ſhall be diſcharged thereof, provided he makes ſuch diſcovery within three months after the offence ſhall have been committed, and ſo as any one or more of his accomplices therein be convicted thereof.

Reward to diſcoverers.

(2) And if ſuch perſon firſt making ſuch diſcovery within the time aforeſaid, be not an officer of the revenue or owner of the goods, he ſhall as a further encouragement receive to his own uſe the whole money which on the conviction of ſuch offenders ſhall be recovered from them, and be levied on their eſtate or effects, the charges of proſecution being firſt deducted.

Proſecution of actions.

LXXI. *ſect.* 18. All actions to be commenced upon this or any other acts for preventing the exportation of wool, woolfells, woolflocks, mortlings, ſhortlings, worſted, bay or woollen-yarn, cruels, or wool ſlightly manufactured, or mattreſſes, or beds ſtuffed with combed wool, or wool fit for combing, fullers-earth, fulling-clay, tobacco-pipe-clay, or any other ſcouring earth or clay from Great Britain or Ireland; or for preventing the exportation from Ireland into foreign parts, of cloth, ſerges, bays, kerſeys, frizes, druggets, ſhalloons, ſtuffs, cloth-ſerges, or any other drapery made of or mixed with wool manufactured in Ireland, may be proſecuted, except where it is in this act otherwiſe directed, in any of his Majeſty's courts of record at Weſtminſter, or in the court of exchequer in Scotland, or at the quarter-ſeſſions of the peace, or before any two juſtices of the peace for any county, city or place in this kingdom in a ſummary way at the election of the ſeizer or informer, or by any law relating to the revenue of Ireland in that kingdom, wherein no eſſoign, &c. ſhall be allowed, and if the property thereof be claimed, the *onus probandi* ſhall lie upon the owner or claimer thereof, and not on the officer or ſeizer.

Penalties diſpoſed of.

LXXII. *ſect.* 19. All the forfeitures and penalties before mentioned, except where the ſame is otherwiſe directed by this act, ſhall be to the uſe of ſuch perſons as ſhall ſeize, inform, or ſue for the ſame in the manner herein before directed.

Publick ſale.

LXXIII. *ſect.* 20. On the condemnation of any wool, or any other of the ſpecies of goods before enumerated, the ſaid reſpective commiſſioners ſhall cauſe all ſuch goods to be publickly ſold to the beſt bidder, at ſuch places as the ſaid commiſſioners ſhall think proper; and out of the produce of ſuch ſale they ſhall cauſe to be paid all charges of condemnation and ſale, and the remainder to ſuch perſons who ſhall ſeize, inform, or ſue for the ſame as aforeſaid.

Reward for diſcovery.

LXXIV. *ſect.* 21. In caſe any officer of the cuſtoms, exciſe, or ſalt-duty, ſhall receive any information from any other perſon whereby any ſeizure of the ſaid goods ſhall be made, or any proſecution ſhall be commenced and carried on to effect, ſuch perſon ſhall have to his own benefit, one half of what ſhall be recovered, levied and received by any ſuch officer, as a reward for his diſcovery.

Payment of rewards.

LXXV. *ſect.* 22. If any perſons or offenders ſhall by conviction, judgment, or otherwiſe, become liable to the payment of the penalty of three ſhillings *per* pound weight, inflicted by this or any former act, made to prevent the exportation of wool, for ſuch wool or other the ſpecies before mentioned, and ſhall not be of ſufficient ability to pay the ſame, by which means the informer or proſecutor will loſe the benefit

benefit of ſuch his information and proſecution, it ſhall be lawful for the reſpective commiſſioners to cauſe one ſhilling *per* pound weight for all ſuch of the ſaid goods, for which ſuch offenders ſhall be convicted, to be paid by the receiver-general of the revenue under the management of the reſpective commiſſioners, out of any public money in his hands, and the money paid as aforeſaid, ſhall be allowed in his accounts as ſo much money paid to his Majeſty, and every ſuch officer ſhall be diſcharged thereof accordingly.

Maſters of ſhips.

LXXVI. *ſect.* 23. If the maſter of any veſſel employed in the clandeſtine exporting to parts beyond the ſeas from Great Britain or Ireland any wool, woolfells, woolflocks, mortlings, ſhortlings, worſted bay or woollen yarn, cruels or wool ſlightly manufactured, or mattreſſes or beds ſtuft with combed wool, or wool fit for combing, or any fuller's-earth, fulling-clay, tobacco-pipe-clay, or any other ſcowring earth or clay, or in the clandeſtine importing from Ireland any woollen cloth, ſerges, bays, kerſeys, ſayes, frizes, druggets, cloth-ſerges, ſhalloons, or any other drapery, ſtuffs or woollen manufacture made and manufactured in Ireland; or

Mariners.

if the mate or any of the mariners of ſuch ſhip ſhall give an account, in ſix months after ſuch ſhipping or exporting any of the goods before mentioned, to the commiſſioners of the cuſtoms in England or Scotland, or to the commiſſioners of the revenues in Ireland, of the name of the ſhip, and the ſpecies and quantities of ſuch goods ſo clandeſtinely exported or ſhipt for exportation to parts beyond the ſeas, together with the name of the owners or exporters of ſuch goods, or the name of the perſons who act in their aid and aſſiſtance, ſo as they may be proſecuted and convicted for ſuch offences committed againſt this or any other act made to prevent the illegal exportation of wool, or any the ſpecies or goods before mentioned, ſuch maſter, mate, or mariner, ſhall not only be indemnified for ſo doing, but ſhall be diſcharged from any the penalties and forfeitures they are by law ſubject to for ſuch offences, and ſhall alſo have three fourth parts of the penalties or forfeitures clear of charges that ſhall be recovered and received by means of ſuch their diſcovery, which the reſpective commiſſioners aforeſaid are to cauſe to be paid and diſtributed in ſuch proportion as they ſhall think proper, and the other fourth part to his Majeſty, after deducting the charges of proſecution and condemnation.

Officers appointed.

LXXVII. *ſect.* 24. Every perſon who by deputation, commiſſion, or other inſtrument, under the hand and ſeals of the commiſſioners of the cuſtoms, exciſe or ſalt in Great Britain or Ireland reſpectively, ſhall be appointed to act as an officer or ſervant under them, for putting this or any of the ſaid acts in execution, ſhall be eſteemed an officer of the cuſtoms, exciſe or ſalt, to all intents and purpoſes.

Bribing officers.

LXXVIII. *ſect.* 25. If any perſon ſhall offer or promiſe to give any bribe, recompenſe or reward whatſoever, to any officer of the cuſtoms, exciſe or ſalt in Great Britain or Ireland, to connive at or permit the tranſportation, or the concealment of any wool, woolflocks, woolfells, mortlings, ſhortlings, yarn made of wool, cruels, or wool ſlightly manufactured, or mattreſſes, or beds ſtuffed with combed wool, or wool fit for combing, fullers-earth, fullers-clay, and tobacco-pipe-clay, or any other ſcowring earth or clay, or to the removing thereof contrary to this or any other act made againſt the tranſportation thereof, or to do, conceal, or connive at any other act, whereby any of the proviſions made by this or any other law as aforeſaid may be evaded or broken, every ſuch perſon ſhall, for every ſuch offence, whether the ſame offer, propoſal, or promiſe be accepted, or performed or not, forfeit three hundred pounds, to be recovered and applied to the uſe of them who ſhall inform or ſue for the ſame in any of his Majeſty's courts of record at Weſtminſter, or in the court of exchequer in Scotland, or in any of his Majeſty's courts of record at Dublin.

Oppoſing ſeizures.

LXXIX. *ſect.* 26. If any officer of the cuſtoms, exciſe or ſalt, or any other perſons that ſhall act in aid or aſſiſtance of any officer of the cuſtoms, exciſe or ſalt in putting

ting this act in execution, ſhall be oppoſed, obſtructed, wounded or beaten in ſeizing any wool, woolfels, woolflocks, mortlings, ſhortlings, woollen or bay-yarn, or any other ſpecies of goods before enumerated by any perſons either in the day or night by land or water, the perſons that ſhall ſo oppoſe, obſtruct, wound, or beat any ſuch officer, or any perſon who ſhall act in their aid or aſſiſtance in the making ſuch ſeizures as aforeſaid, or any other perſons being armed with offenſive arms or weapons, or wearing any vizard, maſk, or other diſguiſe, who ſhall reſcue or attempt to reſcue any wool or other the goods aforeſaid, which ſhall be ſeized by any officer of the cuſtoms, exciſe or ſalt, every ſuch perſon convicted of any of the ſaid offences, ſhall by order of the court before whom ſuch offenders ſhall be convicted, be tranſported to ſome of his Majeſty's colonies and plantations in America, for ſuch term as ſuch court ſhall think fit, not exceeding ſeven years, in the ſame manner as by an act *Brit. Stat.* 4 *Geo.* 1. *cap.* 11. and by *Brit. Stat.* 6 *Geo.* 1. *cap.* 23. the offenders therein mentioned are to be tranſported to the ſaid colonies and plantations; and if any ſuch offenders ſhall return into Great Britain or Ireland, before the expiration of the time for which ſuch perſons ſhall be tranſported, contrary to the intent hereof, they ſhall ſuffer as felons without benefit of clergy.

Tranſportation.

Aiders and abettors.

LXXX. *ſect.* 27. Whereas the ſaid act 4 *Geo.* 1. *cap.* 11. (*See Par.* LXIV.) extended only to the perſons who actually exported the wool or woolfels, but not to their aiders or abettors, the ſaid act and every thing therein contained, ſo far as the ſame concerns the exporters of wool or woolfels, ſhall extend to perſons who act as aiders or abettors to ſuch exporters of wool or woolfells, as fully as if the ſame was repeated and re-enacted in the body of this act.

Stamp duties.

LXXXI. *ſect.* 28. Bonds to be taken purſuant to this act, ſhall not be chargeable with the duties upon ſtampt, vellum, parchment or paper.

Inſurance of goods.

LXXXII. *ſect.* 29. Every perſon who by way of inſurance or otherwiſe ſhall undertake that any of the goods or merchandizes before mentioned, ſhall be carried to any parts beyond the ſeas from any place within this kingdom or Ireland, contrary to the true intent of this act, or in purſuance of ſuch inſurance or agreement ſhall deliver any of the ſaid goods in any parts beyond the ſeas, ſuch perſons and their aiders, abettors and aſſiſtants, ſhall for every ſuch offence forfeit five hundred pounds to the uſe of the informer or proſecutor, over and above all other forfeitures and penalties to which they are liable by any act now in force.

Payments for inſuring.

LXXXIII. *ſect.* 30. Every perſon who ſhall pay, or agree to pay any ſums of money for the inſuring, conveying or exporting out of this kingdom or Ireland, contrary to the intent of this act, any of the goods or merchandizes aforeſaid, ſhall for every ſuch offence forfeit five hundred pounds to the uſe of the informer, or ſuch perſons as ſhall ſue for the ſame.

Diſcovery of inſurance.

LXXXIV. *ſect.* 31. In caſe the inſurer, conveyer or manager of ſuch fraud, or the perſons agreeing to inſure, convey or manage therein, ſhall within the ſpace of ſix months after ſuch tranſaction or agreement, firſt give notice thereof to the commiſſioners of the cuſtoms in England or Scotland, or to the commiſſioners of the revenue in Ireland, ſo as the perſons concerned with them in ſuch offence be convicted thereof, they ſo firſt diſcovering, ſhall not only be diſcharged of ſuch offence and from the penalties to which they are liable by reaſon thereof, but ſhall alſo have to their own uſe the whole forfeiture hereby impoſed upon the parties making ſuch inſurance or agreement, after the charges of proſecution are deducted, and ſhall likewiſe retain to their own uſe the inſurance-money or reward given or paid to them by the perſons concerned with them therein; and in caſe the parties inſured ſhall, within ſix months, firſt make diſcovery thereof to the commiſſioners of the cuſtoms in England or Scotland, or to the commiſſioners of the revenue in Ireland, ſo as the perſons concerned with them in ſuch offence be convicted thereof, they

ſo

ſo firſt diſcovering, ſhall recover and receive back ſuch inſurance-money or premium, as they have paid upon ſuch inſurance or agreement.

(2) And in caſe the ſaid inſurance-money or premium ſhall not at the time of ſuch diſcovery be actually paid, the perſons ſo firſt diſcovering are indemnified from paying the ſame or any part thereof, and all agreements entered into for paying ſuch monies are declared to be void; and ſuch perſons ſo firſt diſcovering ſhall alſo have to their own uſe the whole forfeiture impoſed upon ſuch inſurer, conveyer or manager as aforeſaid, after charges of proſecution are deducted, and ſhall alſo be diſcharged of the forfeitures hereby impoſed upon them. Agreements void.

LXXXV. *ſect.* 32. All the ſaid penalties and forfeitures incurred by the perſons concerned in the fraudulent and illegal inſurances or agreements to inſure or be inſured as before mentioned, ſhall be ſued for and recovered in any court of record at Weſtminſter, or in the court of exchequer in Scotland or Ireland, by action or information in the name of his Majeſty's attorney general, or in the name of any officer of his Majeſty's cuſtoms, exciſe or ſalt duties. Suit for penalties.

LXXXVI. *ſect.* 33. All policies of inſurance which ſhall be made on goods loaden, or to be loaden, or any ſhip or veſſel bound from Great Britain or Ireland to foreign parts, which ſhall afterwards appear to be wool or woollen yarn, or any other ſpecies of wool before mentioned, or woollen manufactures from Ireland, and all policies of inſurance which ſhall be made on any ſhip or veſſel bound from Great Britain or Ireland to foreign parts, which ſhall have on board any wool or woollen yarn, or any other ſpecies of wool before mentioned, or woollen manufactures from Ireland, ſhall be deemed to be void, notwithſtanding any words or agreement whatſoever which ſhall be inſerted in any ſuch policy of inſurance, and nothing ſhall be recovered by the aſſured in either caſe from the inſurer for loſs or damage, or for the premium which ſhall have been given as the conſideration for inſuring ſuch goods or ſhip. Policies void.

LXXXVII. *ſect.* 34. If any action ſhall be commenced againſt any perſon for any thing done in purſuance of this act, the defendants may plead the general iſſue, &c. and if the jury ſhall find for the defendants, and if the plaintiff ſhall be nonſuited or diſcontinue his action after the defendants ſhall have appeared, or if judgment ſhall be given upon any verdict or demurrer againſt the plaintiff, the defendants ſhall recover treble coſts. General iſſue.

LXXXVIII. *Stat.* 33 *Geo.* 2. *cap.* 10. *ſect.* 4. The duty of poundage upon wool, bay yarn, and woollen yarn exported out of this kingdom to England, ſhall not be paid, but the ſame ſhall remain diſcharged from the ſaid duty of poundage, as if this act had not been made. Poundage on wool, yarn &c.

LXXXIX. *Brit. Stat.* 26 *Geo.* 2. *cap.* 11. *ſect.* 1. After the fifth day of June, 1753, it ſhall be lawful for any perſon to export from any port in Ireland any wool, or woollen or bay yarn, wool-fells, ſhortlings, mortlings, wool-flocks, and worſted yarn, to any port in Great Britain. Ports for exporting wool.

XC. *ſect.* 2. Provided that all ſuch exportations and importations of wool, &c. from any port in Ireland, into any port in Great Britain, ſhall be made under the ſame reſtrictions and regulations, and in the ſame manner in all reſpects, as wool or woollen yarn is now by law permitted to be exported from Dublin, Waterford, Youghall, Kinſale, Cork, Drogheda, New Roſs, Newry, Wexford, Wicklow, Sligoe, Limerick, Galway, and Dundalk, and imported into the ſeveral ports of Bideford, Barnſtaple, Minehead, Bridgewater, Briſtol, Milford-Haven, Cheſter, Liverpoole, Lancaſter, and Great Yarmouth, or any of them. Regulations by former acts.

Wreck.

Saving of ſhips and goods.

I. *Eng. Stat.* Weſtm. 1. 3 *Edw.* 1. *cap.* 4. Where a man, a dog, or a cat, eſcape quick out of the ſhip, ſuch ſhips or any thing within them ſhall not be adjudged wreck, but the goods ſhall be ſaved and kept by view of the ſheriff, coroner, or the King's bailiff, and delivered into the hands of ſuch as are of the town, ſo that if any ſue for thoſe goods, and after prove that they were his, or periſhed in his keeping, within a year and a day they ſhall be reſtored, and if not they ſhall remain to the King, and be ſeized by the ſheriffs, coroners, and bailiffs of the town, and where wreck belongeth to another, he ſhall have it in like manner, and he that otherwiſe doth ſhall be awarded to priſon, and make fine at the King's will, and ſhall yield damages alſo; and if a bailiff do it, and it be diſallowed by his lord, and the lord will not diſcharge him thereof, the bailiff ſhall anſwer, if he have whereof, and if he have not, the lord ſhall deliver his bailiff's body to the King.

The King ſhall have wreck.

II. *Stat.* prærog. reg. 17 *Edw.* 2. *cap.* 11. The King ſhall have wreck of the ſea, whales, and great ſturgeons taken in the ſea or elſewhere, except in places privileged.

Aſſiſtance to ſhips in diſtreſs.

III. *Stat.* 4 *Geo.* 1. *cap.* 4. *ſect.* 1. The ſheriffs, juſtices of peace of every county, and all mayors, bailiffs, and other head officers of corporations and port-towns near the ſea, and all conſtables, headboroughs, and officers of the cuſtoms, ſhall upon application made to them on behalf of any commander of a ſhip being in danger of being ſtranded, or being ſtranded, command the conſtables of the ports neareſt the coaſts where ſuch ſhip ſhall be in danger, to ſummon as many men as ſhall be thought neceſſary to the aſſiſtance of any ſuch ſhip.

Ships of war.

(2) And if there ſhall be any ſhip belonging to his Majeſty or his ſubjects riding near the place, the officers of the cuſtoms and conſtables are required to demand of the ſuperior officers of ſuch ſhip aſſiſtance by their boats, and ſuch hands as they can conveniently ſpare; and in caſe ſuch ſuperior officer of ſuch ſhip neglect to give ſuch aſſiſtance, he ſhall forfeit 100l. to be recovered by the ſuperior officer of the ſhip in diſtreſs, with coſts, in any of his Majeſty's courts of record.

Reward for ſalvage.

IV. *ſect.* 2. The collectors of the cuſtoms, and the commanding officer of any ſhips, and all others who ſhall act in the preſerving of any ſuch ſhip in diſtreſs, or their cargoes, ſhall within thirty days be paid a reaſonable reward by the commander or owners of the ſhip in diſtreſs, or by the merchant whoſe ſhip or goods ſhall be ſaved; and in default thereof, the ſhip or goods ſhall remain in the cuſtody of ſuch officer of the cuſtoms until all charges be paid, and until the ſaid officer of the cuſtoms, and the maſter or other officer of the ſhip, and all others ſo employed, ſhall be reaſonably gratified, or ſecurity given for that purpoſe to the ſatisfaction of the parties.

Adjuſtment of juſtices.

(2) And in caſe after ſuch ſalvage the commander, mariners or owners of ſuch ſhip ſo ſaved, or merchant whoſe goods ſhall be ſaved, ſhall diſagree with the officer of the cuſtoms touching the monies deſerved by any of the perſons employed, it ſhall be lawful for the commmander of ſuch ſhip ſo ſaved, or the owners of the goods or the merchant intereſted, and alſo for the officer of the cuſtoms, to nominate three of the neighbouring juſtices of peace who ſhall adjuſt the *quantum* of the gratuities to be paid to the ſeveral perſons, and ſuch adjuſtments ſhall be binding to all parties, and ſhall be recoverable in an action at law in any of his Majeſty's courts of record.

Default of claim.

(3) And in caſe no perſon ſhall appear to make his claim to the goods ſaved, the chief officer of the cuſtoms of the neareſt port, ſhall apply to three of the neareſt juſtices

juſtices of peace, who ſhall put him or ſome other reſponſible perſon in poſſeſſion of the goods ſuch juſtices taking an account of the goods to be ſigned by ſuch officer of the cuſtoms; and if the goods ſhall not be claimed within twelve months, public ſale ſhall be made thereof, and if periſhable goods, forthwith to be ſold, and after charges deducted, the reſidue of the monies, with an account of the whole, ſhall be tranſmitted to his Majeſty's exchequer for the benefit of the owner, who upon affidavit or other proof of his property to the ſatisfaction of one of the barons, ſhall upon his order receive the ſame.

Entering on board ſhips in diſtreſs.

V. *ſect.* 3. If any perſon beſides thoſe impowered by the officer of the cuſtoms and the conſtables, ſhall enter or endeavour to enter on board any ſuch ſhip in diſtreſs without the leave of the commander, or of the officer of the cuſtoms or conſtable, or one of them, or in caſe any perſon ſhall moleſt them in the ſaving of the ſhip or goods, or ſhall endeavour to hinder the ſaving of ſuch ſhip or goods, or ſhall deface the marks of any ſuch goods before the ſame ſhall be taken down in a book by the commander and the firſt officer of the cuſtoms, ſuch perſon ſhall within twenty days make double ſatisfaction to the party grieved, at the diſcretion of the two next juſtices of the peace, or in default thereof, ſhall by ſuch juſtices be ſent to the houſe of correction, where he ſhall be employed in hard labour twelve months.

Double ſatisfaction.

Repelling by force.

(2) And it ſhall be lawful for any commander or ſuperior officer of the ſhip in diſtreſs, or for the officer of the cuſtoms or conſtable on board the ſhip, to repel by force any ſuch perſons as ſhall without leave or conſent as aforeſaid, preſs on board the ſaid ſhip in diſtreſs, and thereby moleſt them in the preſervation of the ſhip.

Goods ſtolen.

VI. *ſect.* 4. In caſe any goods ſhall be found upon any perſon that were ſtolen or carried off from any ſuch ſhip in diſtreſs, they on whom ſuch goods ſhall be found, ſhall upon demand deliver the ſame to the owner, or to ſuch perſon by ſuch owner authorized to receive the ſame, or in default thereof ſhall be liable to pay treble the value of ſuch goods, to be recovered by ſuch owner in any action.

Deſtroying ſhips felony.

VII *ſect.* 5. If any perſon ſhall make or be aſſiſting in the making any hole in any part of any ſhip in diſtreſs, or ſhall ſteal any pump belonging to any ſhip, or ſhall be aiding or abetting in the ſtealing ſuch pump, or ſhall wilfully do any thing tending to the immediate loſs or deſtruction of ſuch ſhip, ſuch perſons ſhall be guilty of felony without benefit of clergy.

False lights.

VIII. *ſect.* 6. If any perſon ſhall put forth any falſe or treacherous lanthorns, lights or fires, with intention to ſubject any ſhip to danger or ſhipwreck, ſuch perſons being thereof convict, ſhall be guilty of felony without benefit of clergy.

General iſſue.

IX. *ſect.* 7. If any action ſhall be proſecuted againſt any perſons for any thing they ſhall do in purſuance of this act, all perſons ſo ſued may plead the general iſſue, &c. and if the plaintiff ſhall become nonſuit, or forbear proſecution or diſcontinue the ſuit, or if a verdict ſhall paſs againſt him, or judgment be given againſt him upon a demurrer, the defendants ſhall recover full coſts. This act ſhall be a public act.

Wilful neglect.

X. *ſect.* 8. If any officer of the cuſtoms ſhall by fraud or wilful neglect, abuſe the truſt hereby repoſed in him, and ſhall be convicted thereof, ſuch officer ſhall forfeit treble damages to the party grieved, to be recovered in any court of record, and ſhall be incapable of any employment relating to the cuſtoms.

Reading this act.

XI. *ſect.* 9. This act ſhall every year publickly be read in full market, on the market-day next preceeding Michaelmas-day, in the public market-place of every market-town within five miles of the ſea, by the mayor or chief magiſtrate of every ſuch market-town, or ſome other perſon by him appointed, or where there is no

ſuch

ſuch mayor or chief magiſtrate, by the clerk of the market, or ſome other perſon by him appointed, and in default thereof, ſuch mayor, chief magiſtrate, or clerk of the market, ſhall forfeit forty ſhillings for every ſuch offence, to be recovered by civil bill by the party who ſhall firſt ſue for the ſame.

Saving of rights.

XII. *ſect.* 10. This act ſhall *not* any ways extend to deprive or prejudice his Majeſty, his heirs or ſucceſſors, or any claiming under them, or any patentee or grantee of the crown, or any lords of any manors, or other perſon in relation to any right which they ſhall have, or lawfully may claim to any wrecks or goods that ſhall be flotſam, jetſam, or lagan. *Brit. Stat.* 12 *Ann. cap.* 18.

This act is made perpetual by Stat. 11 *Geo.* 2. *cap.* 9.

Appeal to the chief governors and privy council.

XIII. *Stat.* 17 *Geo.* 2. *cap.* 11. *ſect.* 2. If the commander, mariners, or owners of the veſſels ſaved *purſuant to Stat.* 4 *Geo.* 1. *cap.* 4. or the owner of the goods, or any perſon intereſted therein, or any perſons employed in ſuch ſalvage, or having any intereſt in ſuch adjuſtment, ſhall think themſelves aggrieved by ſuch adjuſtment, *made according to the ſaid act*, 4 *Geo.* 1. *cap.* 4. it ſhall be lawful for ſuch perſons by petition, ſetting forth the particular grievances they complain of in ſuch adjuſtment, to appeal to the lord lieutenant, lord deputy, or chief governors and privy council of Ireland, or to the next going juſtices of aſſiſe for the county where ſuch ſhip or goods ſhall be ſaved, after the adjuſtment made at the election of the perſon appealing, and the lord lieutenant or chief governors and privy council, and ſuch juſtices of aſſiſe, are authorized to receive every ſuch petition of appeal, and to ſend for and examine upon oath, or being of the people called Quakers, upon ſolemn affirmation, ſuch witneſſes as ſhall be thought neceſſary, and ſhall determine the matters contained in ſuch petition in a ſummary way, and ſuch determination of the lord lieutenant or chief governors and privy council, and of ſuch juſtices of aſſiſe ſhall be concluſive to all perſons concerned.

Petition in three months.

XIV. *ſect.* 3. No petition of appeal to the lord lieutenant or chief governors and privy council ſhall be received, unleſs ſuch petition of appeal ſhall be preferred within three calendar months after ſuch adjuſtment ſhall be made and publiſhed by ſuch juſtices of the peace, and ſuch perſons ſo appealing, ſhall within twenty-one days after the preferring of ſuch petition, ſerve the officer of the cuſtoms with a true copy of ſuch petition, and in default thereof, the ſaid adjuſtment ſhall be binding and concluſive to all perſons concerned therein.

Notice of hearing.

XV. *ſect.* 4. In caſe ſuch petition ſhall be preferred to the lord lieutenant or chief governors and privy council, notice in writing of the day to be appointed for the hearing of ſuch appeal, ſhall be ſerved on the ſaid officer of the cuſtoms thirty-one days at leaſt, before the day appointed for ſuch hearing, and the ſervice of ſuch notice ſhall be deemed to be a ſufficient notice to all perſons employed in ſuch ſervice, or claiming any benefit in ſuch adjuſtment.

Default of appearance.

(2) And in caſe any ſuch perſons concerned in ſuch adjuſtment, ſhall fail to appear on the day appointed for the hearing of ſuch appeal, it ſhall be lawful for the lord lieutenant or chief governors and privy council to proceed therein, and to give the perſons ſo appealing ſuch relief as if the perſons employed in ſuch ſalvage and intereſted in ſuch adjuſtment, had appeared and made their defence.

Coſts for want of proſecution.

(3) And in caſe the perſons appealing, ſhall fail to proſecute ſuch appeal in manner aforeſaid, or that ſuch adjuſtment ſhall be confirmed upon the hearing of ſuch appeal, it ſhall be lawful for the lord lieutenant or chief governors and privy council, to award ſuch coſts to the parties employed in ſuch ſalvage, and intereſted in the ſaid adjuſtment, as they ſhall think fit.

XVI. *ſect.*

XVI. *ſect.* 5. Every perſon intending to appeal to judges of aſſiſe, ſhall ten days at leaſt before the firſt day of the aſſiſes, at which ſuch petition is to be preferred, ſerve the ſaid officer of the cuſtoms with a true copy of ſuch petition intended to be preferred at ſuch aſſiſes, and the ſervice of ſuch copy ſhall be deemed a ſufficient notice to all perſons employed in ſuch ſalvage, or claiming any benefit from, or concerned in ſuch adjuſtment, and ſuch petition ſhall be filed with the clerk of the judges of aſſiſe, before the hour of twelve a clock in the forenoon of the ſecond day of the aſſiſes, at which ſuch petition is to be preferred, and ſuch petition ſhall be finally heard and determined at the ſame aſſiſes, unleſs ſuch juſtices ſhall ſee ſufficient reaſon to adjourn the ſame to the next aſſiſes, in which caſe the next going judges of aſſiſe ſhall finally hear and determine the ſame; and in default of the ſervice of ſuch copy of ſuch petition, or in caſe of ſuch ſervice, in default of the due proſecution thereof, ſuch adjuſtment ſhall be binding and as valid, as if this act had never been made. Appeal to judges of aſſiſe.

XVII. *ſect.* 6. In caſe there are not ten days between the making of the ſaid adjuſtment by the juſtices of the peace, and the firſt day of the then next aſſizes for the ſame county, ſuch petition of appeal may be preferred to the next going judges of aſſiſe, after the expiration of the ſaid ten days after ſuch adjuſtment, and ſuch petition ſhall be as good, and proſecuted in the ſame manner, as if the ſame had been preferred to the next going judges of the aſſiſe after the adjuſtment by the ſaid juſtices of peace. Want of time for notice.

XVIII. *ſect.* 7. If the perſons employed in ſuch ſalvage or claiming any intereſt or concerned in ſuch adjuſtment, ſhall fail to appear at ſuch aſſiſes, where the ſaid appeal is proſecuted, it ſhall be lawful for the judges of aſſiſe to proceed therein, and to give the perſons appealing ſuch relief, as if the perſons intereſted in ſuch adjuſtment, had appeared and made their defence; and in caſe the perſons appealing, ſhall fail to proſecute the ſaid appeal, or that ſuch adjuſtments ſhall be confirmed upon the hearing of ſuch appeal, it ſhall be lawful for ſuch judges of aſſiſe to award ſuch coſts to the parties intereſted in the ſaid adjuſtment, as they ſhall think proper, not exceeding three pounds. Proceeding on non appearance.

XIX. *ſect.* 8. In caſe any fact ſhall appear doubtful to ſuch judges of aſſiſe upon ſuch appeal, the ſame ſhall be tried by a jury, to be returned immediately at the prayer of the party, or by the diſcretion of ſuch judges, and the ſaid judges of aſſiſe ſhall upon the verdict to be found on ſuch trial, make ſuch decree as to them ſhall ſeem meet, and the decree of ſuch judges of aſſize ſhall be final and concluſive to all parties concerned in the ſaid adjuſtment and ſalvage. Trial by a jury.

XX. *ſect.* 9. In caſe ſuch commander, mariners or owners of the veſſel, or the owner of the goods ſo ſaved, or any perſon intereſted therein, or any perſons employed in ſuch ſalvage, or having any intereſt in ſuch adjuſtment, ſhall think proper to appeal as aforeſaid, the ſaid officer of the cuſtoms ſhall, upon ſuch commander, mariners, or owners of the veſſel, or the owner of the goods ſo ſaved, or any perſon intereſted therein, depoſiting the money allotted by the ſaid juſtices of the peace, or giving ſufficient ſecurity by two able perſons entring into an obligation, payable to ſuch officer of the cuſtoms, in the penalty of double the ſum in ſuch adjuſtment, with condition in caſe ſuch appeal ſhall be brought by ſuch commander, mariner or owners of the veſſel, or the goods ſo ſaved, or any perſon intereſted therein, to proſecute ſuch appeal, and to pay ſuch ſums as ſhall be decreed upon ſuch appeal, and ſuch coſts as ſhall be awarded thereon as aforeſaid, or in default of ſuch proſecution, to pay the ſums contained in ſuch adjuſtment, and ſuch coſts as ſhall be awarded as aforeſaid; and in caſe ſuch appeal ſhall be brought by any of the Security for double value. Condition of bond.

the perſons employed in ſuch ſalvage, or having a demand on account of ſuch ſalvage, with condition to pay ſuch ſums as ſhall be decreed upon the hearing of ſuch appeal, or in caſe that ſuch adjuſtment ſhall be confirmed, or that ſuch appeal be not proſecuted, ſuch ſums as are allotted by ſuch adjuſtment, deducting thereout ſuch coſts as ſhall be allowed upon the confirmation of ſuch adjuſtment, or for the non-proſecution of ſuch appeal, deliver up ſuch ſhip and goods to ſuch perſons appealing, in the ſame manner, as if the determination of the ſaid juſtices of the peace had been fully complied with.

Coſts to be deducted.

XXI. *ſect.* 10. If upon an appeal to be preferred by virtue of this act, there ſhall be any coſts awarded to ſuch commander, mariner or owners of the veſſel or the owner of the goods ſo ſaved, or any perſon intereſted therein, ſuch coſts ſhall be allowed and deducted out of the adjuſtment ſo appealed from.

Directing iſſues.

XXII. *ſect.* 11. In caſe any matter ſhall, upon the hearing of any appeal, by the lord lieutenant or chief governors and privy council appear doubtful to them, it ſhall be lawful for them to direct an iſſue concerning ſuch matters, to be tried in any of his Majeſty's courts of record at Dublin, or before the juſtices of aſſiſe for the county where ſuch veſſel or goods have been ſaved, and upon return thereof, make ſuch decree as to them ſhall ſeem meet, which ſhall be concluſive to all parties.

Writ of entry.

Writ for alienation.

I. *Eng. Stat.* Marleber. 52 *Hen.* 3. *cap.* 30. If thoſe alienations, of which a writ of entry was wont to be granted, be made by ſo many degrees, that the writ cannot be had in the form before uſed, the plaintiff ſhall have a writ to recover his ſeiſin without mention of the degrees, to be provided by the King's counſel.

Yarn.

Length of reels.

I. *Stat.* 7 *Geo.* 2. *cap.* 9. *ſect.* 1. The ſnap-reel whereon bay-yarn ſhall be reeled, ſhall contain one yard and three quarters and one inch in circumference, and each ſkain of bay-yarn ſhall be three quarters and half a quarter of a yard in length and no more, and each ſkain ſhall contain ſix lays or cuts, and each lay or cut eight ſcore threads and no more, under the following penalties, that is to ſay, every reel maker who ſhall make, and every ſpinner who ſhall uſe any ſnap-reel for reeling of bay-yarn of leſs than a yard and three quarters and an inch in circumference, ſhall forfeit 5 s. for every ſuch offence.

Skains of bay-yarn.

(2) And every ſpinner who ſhall make up ſkains of bay-yarn, of leſs than three quarters and half a quarter of a yard in length, or leſs than ſix lays or cuts to each ſkain, and eight ſcore threads to each lay or cut, ſhall forfeit 2 d. for every ſkain ſo made up, and every comber and yarn-maker who ſhall knowingly ſell or expoſe to ſale any yarn made contrary to the directions of this act, ſhall forfeit a ſum not exceeding 3 s. for every hundred ſkains of ſuch fraudulent yarn, and ſo in proportion for a greater or leſſer quantity.

Wilful neglect.

II. *ſect.* 2. Provided that if no more than ſix threads are wanting in a lay or cut, and it ſhall appear that ſuch deficiency was occaſioned by miſtake, and not by a wilful neglect, in ſuch caſe, no penalty ſhall be incurred on account thereof.

Imbezelment, &c.

III. *ſect.* 3. Whereas ſpinners and other perſons to whom combers or yarn-makers ſet out their wool to be ſpun, do often embezel, ſell or detain for an unreaſonable time, ſuch wool, it ſhall be lawful for one juſtice of the peace or the chief magiſtrate of the place where ſuch offence ſhall be committed and complained of, to determine the matter of ſuch complaint, and to award ſuch ſatisfaction to the party aggrieved,

by

by the perſons complained of, as ſuch juſtice or chief magiſtrate ſhall think reaſonable, provided ſuch wool ſo delivered, doth not exceed the value of 20s. and provided ſuch ſatisfaction ſhall not exceed 10s. over and above the value of ſuch wool.

IV. *ſect.* 4. Whereas ſeveral combers and other perſons do inveigle ſpinners by bribes and other means to change the yarn and wool of other combers left with ſuch ſpinners to be ſpun, for other wool and yarn left in lieu thereof, every ſuch perſon who ſhall inveigle and get from any ſpinner the yarn or wool of any other perſon, in exchange for wool or yarn left with ſuch ſpinner in lieu thereof, being thereof convicted, ſhall forfeit 40s. for every ſuch offence. Changing yarn or wool.

V. *ſect.* 5. All the penalties by this act inflicted on the reel-makers, ſpinners, and other manufacturers of bay-yarn, or to be recovered by virtue of this act, ſhall be to the uſe of them who ſhall inform or proſecute for the ſame with effect, and ſhall be levied in the manner following, that is to ſay, upon information upon oath, or ſolemn affirmation, if the complainant be a quaker, to any juſtice of the peace, or chief magiſtrate of any corporation, againſt any perſons who ſhall have acted contrary to this act, the ſaid juſtice or chief magiſtrate ſhall iſſue a ſummons in writing, under his hand and ſeal, thereby requiring the perſons ſo informed againſt, at a certain day and place within the limits of the county or corporation wherein the ſaid offence ſhall be committed, to appear before ſuch juſtice or chief magiſtrate, to anſwer the ſaid complaint, at which time and place the ſaid juſtice or chief magiſtrate, ſhall, in the preſence of the perſons ſo accuſed, or in caſe of their neglect to appear, being duly ſummoned, proceed to the examination of the ſaid matter; and if it ſhall appear on evidence upon oath or ſolemn affirmation as aforeſaid, of one credible witneſs, that the ſaid perſons are guilty of the offences herein mentioned, or any of them, the ſaid juſtice or chief magiſtrate ſhall, by warrant levy the ſaid reſpective forfeitures by diſtreſs or ſale of the offenders goods, and diſpoſe of the ſaid forfeitures to the informers; and for default of ſuch diſtreſs to be had, every ſuch offender, being above the age of ſixteen years, ſhall, by warrant of ſuch juſtice or chief magiſtrate be publickly ſet in the ſtocks in the next market-town on the next market-day, in the time of high market, for any time not leſs than four hours, and not exceeding eight hours, or be committed to the houſe of correction, there to be whipt and kept to hard labour for any time not under eight days nor exceeding thirteen days, provided that no perſon ſhall be proſecuted for the ſaid frauds or abuſes, unleſs the ſame be proved or proſecuted within thirty days after diſcovery. Recovery and diſpoſal of penalties.

This act is made perpetual by Stat. 31 Geo. 2. cap. 10. *ſect.* 11.

VI. *Stat.* 31 *Geo.* 2. *cap.* 10. *ſect.* 11. An act paſſed in the ſeventh year of his preſent Majeſty's reign, intituled, *An act to prevent frauds and abuſes in bay yarn exported to Great Britain*; and all the clauſes and proviſoes therein and herein after contained, are continued and made perpetual. The act, 7 G. 2. made perpetual.

VII. *ſect.* 12. If any reel-maker ſhall make, or any ſpinner ſhall uſe any ſnap-reel for reeling bay yarn or cotton yarn, of leſs than a yard and three quarters and inch in the circumference, or if any ſpinners ſhall make up ſkains of bay yarn or cotton yarn, of leſs than three quarters and half a quarter of a yard in length, or leſs than ſix lays or cutts to each ſkain, and eight ſcore threads to each lay or cutt, and ſhall be thereof convicted by the oath, or (being of the people called Quakers) ſolemn affirmation of the owner of ſuch goods, or by the oath or affirmation of any other credible witneſs, or by the confeſſion of the perſons charged with ſuch offence, before any juſtice of the peace of the county where ſuch offence ſhall be committed, Length of ſnap-reel.

or where the perſons ſo charged reſide (which oath or affirmation the ſaid juſtices ſhall be required to adminiſter) it ſhall be lawful for the ſaid juſtices, by warrant under their hand and ſeal, to commit the perſons ſo convicted to the houſe of correction, or other publick priſon of ſuch place, there to be kept to hard labour for any time not exceeding ten days, and alſo to order the perſons ſo convicted, to be once publickly whipped at the market-place, or ſome other publick place of the place where ſuch offender ſhall be committed.

Further convictions.

(2) And in caſe of a farther conviction in manner before preſcribed for a ſubſequent offence of the ſame kind, it ſhall be lawful for the juſtices before whom ſuch conviction ſhall be had, to commit the perſons ſo again offending, to the houſe of correction, or other public priſon as aforeſaid, there to be kept to hard labour for any time not exceeding two months, nor leſs than one month, and alſo to order the perſons ſo again offending to be publickly whipped at the market-place, or ſome other publick place where ſuch offender ſhall be reſpectively committed, twice, or oftner, as to ſuch juſtices ſhall ſeem reaſonable; any thing in the ſaid act 7 *Geo.* 2. *cap.* 9. to the contrary notwithſtanding.

The preceding clauſe is altered, as to the reels for reeling cotton yarn, by the following clauſe, viz.

Reels for cotton yarn.

VIII. *Stat.* 33 *Geo.* 2. *cap.* 5. *ſect.* 1. It ſhall be lawful for any reel-maker to make or cauſe to be made, or any ſpinner to uſe any ſnap-reel for reeling cotton-yarn, of not leſs than forty-nine inches and a half in the circumference, and to make up any ſkains of cotton yarn, not containing leſs than ſeven lays or cutts in each ſkain, and fourſcore threads to each lay or cutt; any thing in the act of the thirty-firſt year of the reign of his preſent Majeſty to the contrary thereof in any wiſe notwithſtanding.

FINIS.

AN

ALPHABETICAL TABLE

OF THE

Principal Matters referring to the Titles and Paragraphs in the ABRIDGMENT, and to the reſpective Statutes.

** *The Reference under each Statute is intended for the reſpective Titles and Paragraphs in the* ABRIDGMENT.

Abatement.

Ed. 1. *c.* 49. *Eng.* In dower *unde nihil habet*, where the writ ſhall not abate by tenant's exception for endowment by another. DOWER. 3.

Ed. 1. *c.* 9. *Eng. Gloc.* Where appeal ſhall not abate for want of freſh ſuit, *&c.* MURDER, 2.

4 *Ed.* 3. *c.* 6. *Eng.* What clerical miſtakes ſhall not abate writs. AMENDMENTS, *&c.* 1.

5 *Ed.* 3. *ſt.* 5 *c.* 16. *Eng.* Writs ſhall not abate by exception of *non-tenure* of parcel. PLEADINGS, 4.

Ric. 2. *ſtat.* 1, 2 *Eng.* Writ ſhall not abate, tho' the contract is in a different county from that named in the writ. *ibid.* 6.

1 *Hen.* 6. *c.* 20. *Eng.* Where ſheriff is named diſſeiſor by colluſion, writ to the coroner ſhall abate. ASSISES, 8.

10 *Car.* 1. *ſeſſ.* 2. *c.* 14. Writ, *&c.* ſhall not abate by demiſe of the King or creation to dignities, pending the ſuit. DISCONTINUANCE, 1.

Promotion, *&c.* of juſtices of aſſiſe or other commiſſioners ſhall not abate their authority. *ibid.* 4.

10 & 11 *Car.* 1. *ſeſſ.* 4. *c.* 13. Where action againſt inhabitants of barony in name of clerk of the peace ſhall not abate. ROBBERY, 13.

1 *Will.* 3. *ſeſſ.* 1. *c.* 35. Death of plaintiff or defendant before final judgment ſhall not abate the action. SUITS, 8.

Executors, *&c.* of plaintiff or defendant may by *ſcir' fac'* proceed to final judgment. *ibid.*

Death of one or more of either parties ſhall not abate the writ. *ibid.* 9.

c. 37. No plea in abatement allowed in writ of partition. PARTITION, *&c.* 8.

Abbies. *See* Monaſteries.

1 *Will.* 3. *ſeſſ.* 1. *c.* 26. None ſhall bury in ſuppreſſed abbies, *&c.* BURIALS, 1, 2.

Abſentees.

1 *H.* 5. *ſtat.* 1. *c.* 8. Penalty on not abiding on benefices or offices in Ireland. ABSENTEES, 1.

5 *H.* 6. *c.* 2 & 9. Abſentees by command ſhall forfeit nothing. *ibid.* 2, 3.

Acceſſories.

3 *Ed.* 1. *c.* 14. *Eng. Weſt.* 1. Acceſſory in appeal not to be outlawed before the principal is attainted. APPEALS, 2.

3 *Hen.* 7. *c.* 1. *Eng.* Acceſſories in murder acquitted on indictment may be remanded to gaol or bailed for the year and day allowed for an appeal. MURDER, 3.

c. 2. *Eng.* Acceſſories in forcibly carrying away women guilty of felony. WOMEN, 2.

10 *Car.* 1. *ſſ.* 2. *c.* 19. In what manner acceſſories to witchcraft, murder or felony in a foreign country ſhall be tried. TRIAL, 8, 9.

c. 23. Penalty on acceſſories to cutting, *&c.* corn growing, robbing orchards, *&c.* TRESPASS. 2.

14 & 15 *Car.* 2. *ſſ.* 4. *c.* 8. Acceſſory diſcovering prohibited goods ſhall be acquitted and have a moiety of the fine, forfeiture, &c. CUSTOMS, 107.

7 *Will.* 3. *ſeſſ.* 1. *c.* 21. Acceſſories to proclaimed tories. ROBBERY, 25.

c. 32. Acceſſory in burglary, &c. excluded clergy. CLERGY, 11.

7 *Will.* 3. *ſeſſ.* 1. *c.* 32. Acceſſories to perſons buying or receiving ſtolen goods deemed acceſſories after the fact. CLERGY, 10.

4 *Ann. c.* 11. Acceſſories before or after the fact to perſons receiving ſtolen goods, may be proſecuted for a miſdemeanor tho' the principal be not convicted. FELONY, *&c.* 18.

4 *Ann. c.* 11. Proſecution of ſuch acceſſory for miſdemeanor ſhall exempt him from puniſhment as acceſſory if the principal be after convicted. *ibid.*

6 *Ann. c.* 16. Acceſſories before the fact in marrying minors clandeſtinely to ſuffer three years impriſonment. MARRIAGES, 14.

Acceſſories before the fact in forcing away and after marrying or defiling women by or without conſent, felons without clergy. WOMEN, 10.

8 *An. c.* 6. Acceſſory in making, &c. inſtruments for coining, guilty of high-treaſon. MONEY, 5.

Acceſſory in conveying ſuch tools out of the mint or bringing them into the Kingdom without authority, guilty of high treaſon. *ibid.* 6.

Accessories.

Accessories in counterfeiting, colouring, gilding, or marking, &c. coin, guilty of high treason. *ibid.* 7.

c. 8. Persons buying or receiving stolen goods knowingly, or concealing burglars, shall be deemed accessories, and suffer death as felons. FELONY, *&c.* 24.

If principal felon cannot be taken, such buyer, &c. may be prosecuted for a misdemeanor, and be exempted from trial as accessory when the principal is convicted. *ibid.* 25.

9 *Ann. c.* 6. Accessories before or after to persons taking goods out of a house, &c. felons without clergy. CLERGY, 16.

5 *Geo.* 2. *c.* 10. Accessories to stealing lead, &c. felons to be transported. FELONY, *&c.* 59.

7 *Geo.* 2. *c.* 8. Penalty on accessories to stealing, maiming, &c. deer in parks, &c. DEER STEALERS, 9.

11 *Geo.* 2. *c.* 7. Accessories to persons inlisting soldiers in foreign service, felons without clergy. FOREIGN STATES, 7.

17 *Geo.* 2. *c.* 5. Accessories to persons stealing fat of cattle, &c. to suffer death. CATTLE, 30.

19 *Geo.* 2. *c.* 6. Accessories to persons forcibly carrying away women with intent to marry or defile, felons without clergy. WOMEN, 12.

25 *Geo.* 2. *c.* 12. Accessories to persons opposing process for giving, &c. possession of lands, felons to be transported. POSSESSIONS, 1.

Account.

52 *H.* 3. *c.* 23. *Eng. Marlb.* Bailiffs of lords not accounting shall be attached. ACCOUNT, 1.

13 *Ed.* 1. *c.* 11. *Eng.* Bailiffs, &c. on account committed to gaol not bailable. ACCOUNT, 2.

6 *Hen.* 4. *c.* 3. *Eng.* Commissioners shall inquire of the accounts of sheriffs, &c. *ibid.* 4.

10 *Car.* 1. *sess.* 2. *c.* 17. Defendant to have his costs at the discretion of the court on verdict or nonsuit in actions of account. DAMAGES, *&c.* 5, 7.

6 *Ann. c.* 10. Actions of account may be maintained against executors, &c. of guardian, &c. and by one joint tenant, &c. his executors, &c. against the other, &c. ACCOUNT, 5.

Accusation.

7 *Ric.* 2. *c.* 6. *Eng.* Lord chancellor on false suggestions may award damages to the party accused. CHANCERY, 3.

15 *Hen.* 6. *c.* 4. *Eng.* None to sue forth *subpœna* until he find security to satisfy if he do not verify his bill. *ibid.* 4.

7 *H.* 8. *c.* 1. Persons bringing letters under privy seal of England against any in Ireland, must give recognizance to pay costs on defendants acquittal before the council in England. APPEALS, 7.

Acquittance.

3 *Geo.* 2. *c.* 4. Forgery of acquittance for 5*l.* felony. FORGERY, 14.

17 *Geo.* 2. *c.* 11. Forging acquittance, &c. to value 5*l.* felony without clergy, &c. FORGERY, 17.

Actions.

13 *Ed.* 1. *c.* 24. Where no remedy at law party may h writ on his case. CONSIMILI CASU, 1.

36 *Ed.* 3. *c.* 15. *Eng.* None to be prejudiced by anci terms and forms of pleading, where the cause of actio shewn in his declaration. PLEADINGS, 6.

2 *Hen.* 4. *c.* 11. *Eng.* Action on the case maintainable damages recoverable against persons wrongfully suing the admiralty. ADMIRALTY, 5.

10 *Car.* 1. *sess.* 1. *c.* 14. No action shall be discontin by demise of the King or any persons being promoted dignities. DISCONTINUANCE, 2.

c. 16. Jury shall find against plaintiff, and defend have double costs, where it is not proved on the trial, t the cause of action arose within the county where laid.

10 *Car.* 1. *sess.* 2. *c.* 6. Actions on the case (except f der) to be brought within six years. LIMITATIONS,

10 *Car.* 1. *sess.* 2. *c.* 11. Imperfections not demurred amendable after demurrer joined, except in actions po lar. PLEADINGS, 13.

c. 15. Like process in every action on the case a common actions of trespass. PROCESS, 9.

c. 17. Defendant to have costs on verdict or non in actions on the case. DAMAGES AND COSTS, 5.

7 *Will.* 3. *sess.* 1. *c.* 12. No action lies to charge admi strator on special promise to answer damages out of his o estate, unless the agreement, &c. be in writing, FRAUDS, *&c.* 22.

No action lies to charge any defendant on special p mise for debts, &c. of another, unless the agreement, be in writing, &c. *ibid.*

No action lies on any marriage, agreement, or conc for sale of lands unless in writing, &c. *ibid.*

9 *Will.* 3. *c.* 35. Action shall not abate by death of pl tiff or defendant between interlocutory and final ju ment. SUITS, 8.

What damages shall be assessed in actions for non p formance of covenants. *ibid.* 10.

What breaches may be assigned in such actions. *ib.*

6 *Ann. c.* 10. Actions of account maintainable against e cutors of guardians, bailiffs, &c. ACCOUNT, 5.

by one joint tenant, and tenant in common, his e cutor, &c. against the other, his executors, &c. *ibid.*

25 *Geo.* 2. *c.* 14. Action of debt maintainable by assig of judgment. JUDGMENTS, 14.

Actions popular.

4 *Hen.* 7. *c.* 20. *Eng.* Recovery by covin in this acti no bar in an action *bona fide.* ACTIONS POPULAR, 1

Defendant by collusion to suffer two years imprisonment. *ibid.*

28 *Hen.* 8. *c.* 21. Forfeitures to King or informer, or K and informer, when to be prosecuted. *ibid.* 2.

10 *Car.* 1. *sess.* 2. *c.* 11. Imperfections not demurred amendable after demurrer joined, except in actions po lar. PLEADINGS, 13.

10 & 11 *Car.* 1. *sess.* 4. *c.* 11. Action popular shall be p secuted in the county where the offence was commit and the same process to be used as in actions of trespa &c. ACTIONS POPULAR, 3.

The informer to make oath before filing the inform on, that the offence was not committed in any other co ty than as laid in the information, &c. *ibid.* 5.

10 &

Actions popular.

10 & 11 *Car.* 1. *ſeſſ.* 4. *c.* 11. This act extends not to the King's cuſtoms, &c. ACTIONS POPULAR, 7.

2 *Geo.* 1. *c.* 20. No indictment, &c. for words to be proſecuted, unleſs information be given before a juſtice of the peace in one month, and before a judge of the King's bench in two months after the words ſpoken. ACTIONS POPULAR. 8.

Actions on penal ſtatutes where the forfeiture goes to the King, only to be in two years, and actions *qui tam* within one year, &c. *ibid.* 10.

A ſaving where by any penal ſtatute, it is directed to be brought ſooner. *ibid.* 12.

Additions.

1 *Hen.* 5. *c.* 5. *Eng.* In original writs, &c. and appeals, &c. addition of defendant ſhall be inſerted. ADDITIONS, 1.

Outlawries otherwiſe proſecuted, void. *ibid.*

Surpluſage of addition ſhall not prejudice. *ibid.*

Clerks omitting ſuch additions to be fined. *ibid.* 2.

7 *H.* 6. *c.* 1. Additions of jurors required. JURIES, &c. 16.

10 *Car.* 1. *ſeſſ.* 2. *c.* 12. After verdict judgment ſhall not be ſtayed or reverſed for miſnomer of addition. PLEADINGS, 16.

6 *Ann. c.* 2. Memorials of deeds, &c. for regiſtry to contain the additions, &c. of parties, deviſors and witneſſes, REGISTER, 7.

19 *Geo.* 2. *c.* 10. Addition required of perſons returned to ſerve on juries. JURIES, &c. 32.

Admeaſurement of Dower.

13 *Ed.* 1. *c.* 7. *Eng. Weſt.* 1. A writ of admeaſurement of dower may be brought by a guardian, but the heir ſhall not be barred of colluſive. ADMEASUREMENT OF DOWER, &c. 1.

Admeaſurement to be made if defendant does not appear, if he does the plea to proceed. *ibid.*

13 *Ed.* 1. *c.* 8. *Eng. Weſt.* 2. Upon a ſecond overcharge after admeaſuring the remedy ſhall be by writ, and the form of the writ. ADMEASUREMENT, &c. 2.

Adminiſtrators.

31 *Ed.* 3. *c.* 11. *Eng.* Next friend of inteſtate to be deputed adminiſtrator by the ordinary. ADMINISTRATORS, 1.

28 *Hen.* 8. *c.* 18. To whom adminiſtration may be granted, and on what terms. *ibid.* 4.

What fees ſhall be taken for an adminiſtration. *ibid.*

In what manner adminiſtrators ſhall make and return an inventory. *ibid.* 5.

10 *Car.* 1. *ſeſſ.* 3. *c.* 10. How perſons obtaining goods, &c. of inteſtate or releaſe by fraud, &c. from illegal adminiſtrators, ſhall be charged, and ſuch perſon may retain debts due to himſelf and payments juſtly made. EXECUTORS, 4.

7 *Will.* 3. *ſeſſ.* 1. *c.* 6. All ordinaries, &c. to take bonds with two or more ſecurities to make a true inventory, and truly to adminiſter, &c. ADMINISTRATORS, 6.

Ordinaries may call adminiſtrators to an account, and after debts, &c. make diſtribution, and in what manner and when. *ibid.* 7.

Adminiſtrators.

The heir at law to have equal ſhare of the ſurplus of the deceaſed, &c. notwithſtanding any lands by deſcent or otherwiſe. ADMINISTRATORS, 8.

If inteſtate leave no children, one moiety ſhall go to the widow, the reſidue to the kindred of the inteſtate in equal degrees, and their repreſentatives, &c. ADMINISTRATORS, 9.

No repreſentatives admitted after brother and ſiſter's children. *ibid.*

Sharers to give bond to refund, in caſe of debts, this act not to extend to adminiſtration *cum teſt' annexo* nor to the eſtates of *femes covert* dying inteſtate. *ibid.* 10.

This act not to extend to the eſtate of *femes covert* dying inteſtate, but their huſbands may have adminiſtration of their perſonal eſtate. ADMINISTRATORS, 12.

No adminiſtrator ſhall be cited into any eccleſiaſtical court to render an account otherwiſe than by inventory, unleſs at the inſtance of a minor, next of kin or creditor. ADMINISTRATORS, 13.

Where children after death of the father die without wife or child who ſhall be intitled to their ſhares. *ib.* 14.

Adminiſtrators *de bonis non* may ſue *ſcir' fac'* on a judgment obtained by the executor. *ibid.* 15.

Cuſtom of Ireland concerning thirds of a perſonal eſtate in wills and adminiſtrations taken away, ſaving for a proteſtant widow. *ibid.* 16.

Executors and adminiſtrators of executors *de ſon tort* ſhall be chargeable with *devaſtavit* of teſtator. *ibid.* 17,

9 *Will.* 3. *ſeſſ.* 1. *c.* 35. Adminiſtrator, &c. of plantiff or defendant may by *ſcire fac* proceed to final judgment. SUITS, 8.

9 *Geo.* 2. *c.* 5. Adminiſtrators, &c. of aſſignees of judgments may revive and ſue execution. JUDGMENTS, 12.

25 *Geo.* 2. *c.* 8. In mutual debts, adminiſtrator may ſet of debt of his inteſtate. DEBT, 1.

Admiral and Admiralty.

13 *Rich.* 2. *c.* 5. *Eng.* Admirals to meddle only with matters done upon the ſea. ADMIRALTY, 1.

15 *Rich.* 2. *c.* 3. *Eng.* Admirals court has no power in bodies of counties, nor of wrecks. *ibid.* 2.

Has cognizance of death of a man or maihem in the main ſtream of great rivers near the ſea, &c. *ibid.* 3.

2 *H.* 4. *c.* 11. *Eng.* For non obſervance of 13 *Ric.* 2. double damages are given. *ibid.* 4.

Action on the caſe maintainable, and damages recoverable againſt perſons wrongfully ſuing in the admiralty. *ibid.* 5.

8 *Eliz. c.* 5. *Eng.* Sentence definitive in a marine, &c. cauſe by delegates, &c. upon appeal made in chancery, final. ADMIRALTY, 6.

2 *Will.* & *Mar. Seſſ.* 2. *c.* 2. *Eng.* All powers, &c. inveſted in lord high admiral of England appertain to commiſſioners of admiralty. *ibid.* 7.

Adultery.

13 *Ed.* 1. *c.* 24. *Eng.* Dower of wife eloping and continuing with adulterer, forfeit. RAPE.

Advowſons.

13 *E.* 1. *c.* 5. *Eng. Weſt.* 2. Where uſurpation of churches, &c. ſhall not bar the heir from writ of *quare impedit*, or *darrein preſentment.*

Advowsons.

What pleading shall be used in *darrein presentment* and *quare impedit*. ADVOWSONS, 2.

The play not to stay for plenarty if the writ be purchased within six months. *ibid.*

If pending a *quare impedit* the bishop present by lapse, the patron shall recover damages, &c. *ibid.* 3.

Where one parcener presents twice, the other shall not be barred from her turn. *ibid.* 5.

13 *E.* 1. *c.* 5. *Eng. West.* 2. Where patron shall have a writ to demand the advowson of tithes. ADVOWSONS, 4.

13 *Ed.* 1. *c.* 49. *Eng.* None shall purchase an advowson when in suit. MAINTENANCE, 4.

17 *E.* 2. *c.* 8. *Eng. Prærog. reg.* Lapse of six months not to prejudice the Kings presentation. ADVOWSONS, 6.

c. 15. *Eng.* Advowson passeth not from the King without expres words. PATENTS, 1.

25 *E.* 3. *Stat.* 3. *c.* 3. *Eng.* When the King collates in anothers right, his title to be well examined, and the patron to have writs. ADVOWSONS, 7.

c. 7. *Eng.* If ordinary present by lapse, he may counterplead the King's title, so may incumbent where his right is not tried. *ibid.* 8.

10 & 11 *C.* 1. *c.* 2. Where several patrons of union, presentation according to valuation by commission out of exchequer: if nearly equal, by turns: if one under a fourth, extinct: if under half, patron of the greatest to have two presentations. AUGMENTATION OF BENEFICES.

2 *Ann. sess.* 1. *c.* 6. Advowsons of papists vested in the crown till they become protestants. PAPISTS, 58.

6 *Geo.* 1. *c.* 1. Writ of right of advowson, when and how returnable. DAYS IN BAN 14.

1 *Geo.* 2. *c.* 18. Persons augmenting livings, &c. of advowsons of any bishop, &c. intitled to such advowsons for ever. RECTORIES, 39.

1 *Geo.* 2. *c.* 23. On *q. impedit* one essoin: on not appearing, attachment: and at the return grand distress.

Clerk of patron recovering, executors, &c. may bring a bill for account of profits from summons: but concluded by affidavit of defendant of what *bona fide* made, and offer to account thereon. *Sect.* 2. *ibid.*

Defendant accountable from judgment on demurrer, if affirmed on error. *Sect.* 4. 296.

During contest, ordinary may allow clerk defendant serving, not above 60 *l. per ann.* or licensed curates not above 30 *l.* each, or the third part of profits, if exceeding that sum. Allowed in the account of profits on certificate. *Sec.* 5. *ib.*

Patron's interest not displaced or turned to a right by usurpations: he may present or bring *q impedit* on next avoidence. *Sect.* 6 *p.* 297.

On partition, each seized of separate part of the advowson, and to present in turn. *Sect.* 7.

Affidavit.

4 *Will.* & *M. c.* 4. How commissioners for taking affidavits in the country may be appointed for *B. R. C. B. & scacc'*. AFFIDAVITS, 1.

Judges of assise may take affidavits in their circuits. *ib.*

Fee for taking and swearing an affidavit before commissioners and judge on circuit, 1*s.* *ibid.* 2.

Perjury on such affidavits punishable. *ibid.* 3.

Affidabit.

The day and place to be mentioned in the caption and to be filed before read in court. *ibid.* 4.

1 *Geo.* 3. *c.* 7. Commissioners of appeal authorized to grant commissions for taking affidavits in the several counties of this kingdom.

Laws relative to perjury, extended to such affidavits.

Directions concerning the caption of such affidavits.

Affinity.

33 *H.* 8. *sess.* 1. *c.* 4. Affinity, &c. betwixt juror or his wife and parties or sheriff. &c. beyond the fifth degree no principal cause of challenge. JURIES, &c. 18.

Affirmation.

6 *Geo.* 1. *c.* 6. Quakers may answer bills in chancery, &c. affixing their affirmation, &c. NON CONFORMISTS. 8.

19 *Geo.* 2. *c.* 18. In what cases quakers may make an affirmation instead of taking an oath, &c. and what proof required of being quakers.

False affirmation punishable as perjury. NONCONFORMISTS, 20.

Affray.

2 *E.* 3. *c.* 3. *Eng.* Penalty on riding armed in affray. ARMS, 2.

Africa.

12 *Car.* 2. *c.* 18. *Eng.* Penalty on not importing to or exporting from any British territories in Africa, in vessels belonging to the English or Irish. PLANTATIONS, 1.

Penalty on not importing goods of the growth of Africa in English or Irish ships. *ibid.* 2.

7 & 8 *Will.* 3. *c.* 22. *Eng.* Penalty on landing goods from the King's plantations in Africa without first landing and paying the duties in England. *ibid.* 11.

Age, See Infants.

Agreement, vide Contracts.

7 *Will.* 3. *sess.* 1. *c.* 12. Where executor, &c. may be charged on special promise for the debt, &c. of his testator out of his own estate. FRAUDS, &c. 22.

Agreement of marriage, for any sale or contract for lands, and other agreements not to be performed in one year, must be in writing and signed. *ibid.*

Aid of the King.

4 *E.* 1. *c.* 1. & 2. *Eng.* Where feoffment is made by the King with deed, &c. binding to warranty the heir shall have aid. AID OF THE KING, 1.

Where King confirms another mans act, or no clause of warranty in the deed, tenant shall have no aid. *ibid.* 2.

1 *H.* 4. *c.* 8, *Eng.* In assise against patentee of lands, where the King's title is not found, patentee shall have no aid. AID OF THE KING, 3.

Aid to the King and subsidies.

25 *E.* 1. *c.* 5. *Eng.* Aids, &c. given voluntarily by the people shall not be drawn into custom, nor shall the King take such aids but by the common consent of the realm. LIBERTIES, &c. 6.

Aid to the King and subsidies.

14 *E.* 3. *stat.* 1. *c.* 1. The subsidy given to the King, shall not be had in example; nor shall the prelates, *&c.* be charged to make any aid, if it be not by consent, *&c. ibid.* 17.

Alderman.

10 *Hen.* 7. *c.* 7. No person to be alderman, *&c.* but residents in cities, *&c.* CORPORATION, &c. 1.

1 *Geo.* 2. *c.* 9. Corporation to proceed to election of alderman, *&c.* in ten days after a death, and to give eight days previous notice. *ibid.* 16.

The time for chusing aldermen, *&c.* enlarged to 31 days. *ibid.*

Ale, See Beer and Ale.

Ordin. for bakers, inc. temp. Eng. c. 6. Assise of ale to be assessed by price of corn of which the malt is made. BEER AND ALE, 1.

9 *H.* 3. *c.* 25. *Mag. Ch.* Ale to be of one measure through the Kingdom. WEIGHTS, &c. 1.

28 *H.* 6. *sess.* 2. *c.* 3. Penalty on selling ale in any city, *&c.* without the King's measure sealed. *ibid.* 23.

2 *Ann. sess.* 1. *c.* 6. Penalty on selling ale at wells resorted to by papists in their pilgrimages. PAPISTS, 60.

9 *Geo.* 2. *c.* 8. Retailers of ale, *&c.* not to trust servants or day-labourers with more than one shilling for ale, *&c.* SERVANTS, 14.

c. 9. Brewers barrels for ale, of what content, *&c.* and the penalty, *&c.* BEER AND ALE, 4.

Ale-houses.

14 & 15 *Car.* 2. *sess.* 4. *c.* 8. Alehouse-keepers, *&c.* to give bond, *&c.* to make weekly entries, or if three miles distant every fortnight, penalty on offending. CUSTOMS, &c. 124.

Alehouse-keepers not to sell beer, ale, aquavitæ, *&c.* till bond be given for due entring, and paying excise weekly, or in 14 days, on pain of 20*s.* for the first, and 40*s.* for the second, and 3*l.* for the third offence; and imprisonment till they give bond to brew, *&c.* no more for sale. *ibid.* 127.

Alehouse-keeper refusing gaugers, *&c.* to enter and gauge, or concealing liquors, or using private tun, copper, *&c.* to forfeit 20*l.* for every such vessel, and for denying entrance, or concealing liquors 5*l.* and to be forbidden to retail any more, *ibid.* 129.

Alehouse-keeper retailing after they are forbidden, to forfeit 5*l.* more, besides double the value of the liquors. *ibid.*

Alehouse-keeper may compound for the excise with the commissioners. *ibid.* 130.

Compounders to give bond upon composition, for performing and paying, and thereupon to be acquitted from entry, gauge and search. *ibid.*

All persons retailing at fairs, *&c.* to pay excise on the place, for liquors not brewed by common brewers, or the liquor to be seized, and detained till the excise is paid. *ibid.* 131.

Persons compounding not to sell beer or ale by the barrel, *&c.* to house-keepers for their use, or to any person to be retailed, on pain that the buyer shall pay double the excise, or in default, both buyer and seller to forfeit 40*s.* a piece. *ibid.* 132.

Ale-houses.

Persons not wholly brewing their own beer and ale, or not taking it wholly from a common brewer, to pay excise for all, under forfeiture of all such as they took from the common brewer, or the value thereof. *ibid.* 133.

14 & 15 *Car.* 2. c. 18. No person shall keep any ale-house without licence, and every person which shall be licensed, shall upon receipt of his licence, pay 20*s. per ann.* for every year that he shall be so licensed. ALE-HOUSES, 1.

Penalty on keeping ale-houses, *&c.* without licence, except at assises, *&c. ibid.* 7.

Collector to receive one shilling fee for licence to an ale-house. *ibid.* 8.

33 *G.* 2. *c.* 10. Commissioners of excise, or any three of them, and the collectors of excise, in their districts, to take recognizances from persons applying for licences, with one sufficient security in 30*l. ibid.* 16.

Persons selling any beer, *&c.* or wine, spirits, *&c.* by retail, without licence, forfeit 5*l.* to be levied by distress, with the assistance of a constable, in same manner as hearth-money is appointed to be levied, by act 17 & 18 *Car.* II. *ibid.*

No collector to grant a licence, without a certificate from the next residing justice, not an officer of the revenue. Penalty on collector acting contrary, 50*l. ibid.* 17.

Collectors to make returns of licences granted to the clerks of the peace, together with their recognizances, and the sums paid for such licences. To continue to do so before first day of Midsummer quarter-session. *ibid.* 18.

Clerks of the peace to file such returns, and engross in parchment the names of the persons licensed, and the sums they pay, and the sureties names, and to hang up in session-house the first day of the next ensuing sessions, on penalty of 5*l. ibid.* 19.

Persons who buy their beer and ale at a publick brewery, to claim certificate thereof, may sell without licence at fairs, sessions, or other publick places. *ibid.* 20.

1 *G.* 3. *c.* 7. For obviating all doubts relative to granting licences, chief commissioners of excise may issue and grant licences in all the districts of this kingdom. *ibid.* 21.

Proviso, that recognizances be first acknowledged before the collector of the district. *ibid.* 22.

3 *G.* 3. *c.* 21. No licence shall be granted for the retailing of liquors within any gaol, *&c. ibid.* 23.

5 *G.* 3. *c.* 16. Collectors impowered to sue for money due on bonds for licence money, in a summary way by civil bill, and justices of the peace are authorized, on information upon oath, to summon persons suspected of selling liquors without licence, and to examine witnesses upon oath, and determine the fact. *ibid.* 25.

And if it shall appear that the party informed against sold liquors within six months previous the summons, the justices to award any sum not exceeding 40*s.* and to issue a warrant to levy the same over and above all other penalties. *ibid.*

If the party shall not have effects to answer the penalty, to be committed to the house of correction or county gaol for one calendar month. *ibid.*

Alembic. See Distillers.

Aliens.

14 *R.* 2. *c.* 6. Merchants ſhall not freight in the ſhips of aliens. SHIPS, 1.

9 *H.* 4. *c.* 7. *Eng.* Aliens muſt contribute to ſubſidy and taxes. TAXES, 3.

8 *H.* 6. *c.* 29. *Eng.* Inqueſts ſhall be *de medietate linguæ* where an alien is party. TRIAL, 4.

1 *R.* 3. *c.* 9. *Eng.* Penalty on alien artificer exerciſing any handicraft trade, *&c.* or taking any apprentice or ſervant (except his children) unleſs a ſubject born. ALIENS, 1.

1 *H.* 7. *c.* 2. & 11 *H.* 7. *c.* 14. *Eng.* Aliens made denizens ſhall pay cuſtoms as before. CUSTOMS, 16.

12 *Car.* 2. *c.* 18. *Eng.* Forfeiture on loading goods in aliens ſhips, *&c.* from one part to another in England or Ireland. PLANTATIONS, 1.

All wines of the growth of France, *&c.* imported in other than Engliſh and Iriſh ſhips ſhall pay as alien goods. SHIPS, 12.

c. 32. *Eng.* Ships of aliens exporting ſheep, *&c.* from Ireland to Scotland, *&c.* or any foreign parts forfeited. WOOL, *&c.* 22.

14 & 15 *Car.* 2. *ſeſſ.* 4. *c.* 9. What cuſtoms to be paid by aliens. CUSTOMS, 22.

c. 13. Alien proteſtant merchants, *&c.* importing their ſtock to ſettle in Ireland taking the oaths ſhall be deemed natural born ſubjects. NATURALIZATION, 2.

17 & 18 *Car.* 2. *c.* 2. Alien proteſtants on tender of 20 *s.* to be made freemen and admitted of guilds in any city, *&c.* where they intend to reſide. CORPORATIONS, &c. 5.

Penalty on magiſtrates refuſing to admit them to their freedom. *ibid.* 7.

Penalty on ſuch alien proteſtants keeping more than ſix ſervants who are to be proteſtants. NATURALIZATION, 3.

4 *Ann. c.* 20. *Eng.* Two pence *per* tun to be paid by all aliens paſſing by the light-houſe of Ediſtone. SHIPS, 21.

25 *G.* 2. *c.* 39. *Eng.* In what manner perſons deriving thro' alien anceſtors ſhall be intitled to inherit. NATURALIZATION, 22, 23.

29 *G.* 2. *c.* 6. Trials of ſtrangers *per medietatem linguæ.* JURIES, &c. 30.

Alms houſes.

13 *Ed.* 1. *c.* 41. *Eng. Weſt.* 2. King ſhall ſeize lands given to alms, *&c.* if alienated. CONTRA FORMAM COLLATIONIS, 2.

Subject donor ſhall recover ſuch alienated land by writ. *ibid.* 3.

22 *G.* 1. *c.* 10. Biſhops, *&c.* may convey lands to the uſe of an alms-houſe erected by them. CHARITABLE USES, 2.

Alnager.

17 & 18 *Car.* 2. *ſeſſ.* 5. *c.* 15. Alnager to be appointed by patent, and the nature, duty and fees of his office. DRAPERY, 31.

Penalty on the alnager on neglect of duty. *ibid.* 32.

Penalty on alnager ſearching, *&c.* cloths not made for ſale. *ibid.* 33.

What places alnager ſhall appoint for meaſuring draperies, *&c.* and perſons not obliged to come above ſix miles for that purpoſe. *ibid.* 34

All mayors and other officers to be aſſiſting to the alnager. *ibid.* 37.

Penalty on perſons counterfeiting, *&c.* the alnagers ſeal, and where recoverable. *ibid.* 38.

Amendments and jeofails.

14 *Ed.* 3. c. 6. *Eng.* Proceſs defective by miſpriſion of a clerk ſhall be amended. AMENDMENTS, &c. 1.

11 *H.* 4. c. 3. *Eng.* Records and proceſs of pleas, real and perſonal, *&c.* ſhall not be amended in any term after judgment inrolled. RECORDS, 3.

9 *H.* 5. c. 4. *Eng.* Juſtices may amend ſuch proceſs before or after judgment. AMENDMENTS, &c. 2.

4 *H.* 6. c. 3. Statutes of jeofail not to extend to outlawries. *ibid.* 3.

8 *H.* 6. c. 12. *Eng.* Judges may reform all defects in any record, *&c.* (except appeals, *&c.*) variance between the record and certificate ſhall be amended, and alſo a record, *&c.* exemplified for a variance between the exemplification, *&c.* 5.

c. 15. Judges may amend the miſpriſion of clerks, *&c.* in any proceſs, *&c.* felonies *&c.* excepted. *ibid.* 7.

10 *Car.* 1. *ſeſſ.* 2. *c.* 11. Court may amend imperfections not demurred to after demurrer joined. PLEADINGS, 14.

17 & 18 *Car.* 2. *ſeſſ.* 5. *c.* 12. What defects of form, *&c.* ſhall be amended. *ibid.* 22.

6 *Geo.* 1. *c.* 6. Court may amend any variance between the original record and the writ of error. AMENDMENTS, *&c.* 8.

11 *Geo.* 2. *c.* 6. Miſtakes in pleadings, *&c.* begun before 1ſt January 1738, being part in Latin and part in Engliſh, may be amended, *&c.* PLEADINGS, 38.

To what proceedings the Statutes of amendment and jeofails ſhall extend, *&c. ibid.* 40.

Amercements.

9 *H.* 3. *c.* 14. *Eng. Mag. Chart.* Freeman to be amerced for offences ſaving his contenement. AMERCEMENTS, 1.

Peers to be amerced by peers. *ibid.*

52 *H.* 3. *c.* 18. *Eng. Marlb.* The chief juſtices and none other to amerce for default of common ſummons. AMERCEMENTS, 2.

3 *E.* 1. *c.* 6. *Eng. Weſt.* 1. No place or perſons to be amerced without cauſe, and according to the treſpaſs, *&c.* Freemen, *&c.* by their peers. AMERCEMENTS, 3.

5 *Rich.* 2. *Stat.* 2. *c* 4. *Eng.* Peers and commons may be amerced for abſence from parliament without cauſe. PARLIAMENT, 3.

America. See Plantation-trade.

Ammunition.

28 *H.* 8. *c.* 7. Rebelliouſly detaining the King's ammunition, *&c.* treaſon. TREASON.

13 *Geo.* 2. *c.* 6. Papiſts, in what time, and to whom to deliver up ammunition, *&c.* in their cuſtody. PAPISTS, 116.

Juſtices of peace when to iſſue warrants to ſearch for ammunition, *&c.* in poſſeſſion, *&c.* of papiſts. *ibid.* 124.

Penalty on juſtices of peace on information given them, neglecting to ſearch for ammunition, *&c.* in poſſeſſion of papiſts. *ibid.* 125.

Angling. See Tit. Fiſh.

Annuity.

10 *Car.* 1. *ſeſſ.* 2. *c.* 15. Like proceſs given in writs of annuity as in actions of debt. PROCESS, 2.

Annuity.

Ann. 8. *c.* 3. Papiſts diſabled from taking annuities for life or years determinable on lives affecting lands, may take execution againſt perſon or perſonal eſtate of grantor. PAPISTS, 71, 72.

24 *Geo.* 2. *c.* 23. *Eng.* No alteration of natural days for payment of annuities, *&c.* by this act for correcting the calendar. CALENDAR, 6.

Anſwer. See Tit. Chancery.

Appeals.

9 *H.* 3. *c.* 34. *Eng. Mag. Chart.* No man ſhall be impriſoned upon appeal of a woman for the death of any but her huſband. APPEALS, 1.

3 *E.* 1. *c.* 14. *Eng. Weſt.* 1. Acceſſories in appeal not to be outlawed before principal is attainted. *ibid.* 2.

6 *Ed.* 1. *c.* 9. *Eng. Glouc.* If declaration in appeal ſets forth the fact, the appeal ſhall not abate for want of freſh ſuit in a year and a day. MURDER, 2.

13 *Ed.* 1. *c.* 12. *Eng. Weſt.* 2. Falſe appellants and abettors liable to fines, *&c.* APPEALS, 3.

28 *Ed.* 1. *Eng.* Stat. of Appeals. Where any are appealed by approvers, ſheriff ſhall bring ſuch appellees to the gaol where the approvers lie to anſwer, *&c. ibid.* 4.

6 *Ric.* 2. *c.* 6. *Eng.* In appeal of rape who ſhall have the ſuit. RAPE, 3.

1 *H.* 4. *c.* 14. *Eng.* Appeals of things done within the realm to be tried by the laws thereof. APPEALS, 5.

Appeals out of the realm by the conſtable, *&c. ibid.*

1 *H.* 5. *c.* 5. *Eng.* In appeals, *&c.* addition of defendants condition, *&c.* ſhall be inſerted. ADDITIONS, 1, 2.

2 *H.* 6. *c.* 3. Appeal of treaſon not touching the King, where to be tried. APPEAL, 6.

3 *H.* 7. *c.* 1. *Eng.* The wife or heir in what time to commence their appeal, and before whom. MURDER, 3.

Appeal to be preferred to an indictment if the appellant be ready. MURDER, 3.

Juſtices may remand, *&c.* perſons to gaol, *&c.* for the time allowed for the appeal. *ibid.* 3.

24 *H.* 8. *c.* 12. *Eng.* Subjects in all caſes to have appeals, *&c.* APPEALS, 8.

In what time appeals ſhall be made from eccleſiaſtical courts. *ibid.* 8, 9, 10.

25 *H.* 8. *c.* 19. *Eng.* Perſons aggrieved in court of archbiſhops, *&c.* may appeal. *ibid.* 11.

28 *H.* 8. *c.* 6. Premunire on any appealing to Rome. *ibid.* 12 to 15.

Appeals formerly made to Rome to be made to the King, *&c. ibid.* 12.

10 *Car.* 1. *ſeſſ.* 2. *c.* 19. Appeal of murder by witchcraft, *&c.* where triable. TRIAL, 7.

6 *Ann. c.* 10. Court not to amend imperfections after demurrer joined in appeals of felony, *&c.* PLEADINGS, 31.

In appeal of murder or felony the *venire* need not be awarded from the body of the county. TRIAL, 11.

6 *G.* 1. *c.* 6. Court not to amend variance between original record and writ of error after verdict, *&c.* in caſes of appeal of murder, *&c.* AMENDMENTS, &c. 9.

1 *G.* 2. *c.* 6. Pardon of diſcoverers of ſtealing goods a bar to an appeal. FELONY, &c. 66.

Appearance.

8 *Ed.* 4. *c.* 3. *Eng.* What appearance of jurors ſhall be recorded. JURIES, &c. 14.

34 *H.* 8. *Seſſ.* 1. *c.* 2. In what caſes perſons bound, *&c.* to appear at a certain day in court, *&c.* diſcharged of the forfeiture. RECOGNIZANCES, 8, *&c.*

When ſuch perſons muſt appear. *ibid.* 10.

7 *Will.* 3. *Seſſ.* 1. *c.* 25. Upon attorney's appearance bond for appearance to be diſcharged, *&c.* ARRESTS, 3.

2 *Geo.* 1. *c.* 11. None compelled to appear to proceſs on civil bills out of the county where he lives. CIVIL BILLS, 3.

Appraiſement.

18 *Ed.* 4. *c.* 1. Diſtreſſes, *&c.* taken by landlords not releaſed in eight days, may be appraiſed and ſold, *&c.* DISTRESSES, &c. 13.

Apprentices.

2 *G.* 1. *c.* 17. Churchwardens may bind any poor child begging, *&c.* with the conſent of the father, *&c.* and to whom and for what term. APPRENTICES, 1 to 7.

Who may determine complaints of apprentices, *&c. ibid.* 7.

Maſters of apprentices aggrieved may appeal, *&c. ibid.* 8.

23 *Geo.* 2. *c.* 11. Corporation for proteſtant ſchools may bind out children as apprentices, and to whom, and in what manner. PROTESTANT SCHOOLS, 2, 3.

Puniſhment of ſuch apprentices departing their maſters ſervice. *ibid.* 5.

Penalty on perſons ſeducing ſuch apprentices from their ſervices. *ibid.* 7.

25 *Geo.* 2. *c.* 8. Complaints by maſters and apprentices how determinable. APPRENTICES, 9, 10.

29 *Geo.* 2. *c.* 8. One juſtice may determine diſputes between maſters and apprentices. *ibid.* 13.

1 *Geo.* 3. *c.* 17. The act 25 *Geo.* 2. *c.* 8. is made perpetual.

Appropriations.

15 *R.* 2. *c.* 6. *Eng.* In licences in chancery for appropriation of any church what clauſe ſhall be inſerted, *&c.* APPROPRIATIONS, 1.

4 *H.* 4. *c.* 12. Secular perſons to be ordained and by whom for divine ſervice in appropriate churches. *ibid.* 2.

10 & 11 *Car.* 1. *Seſſ.* 4. *c.* 2. Perſons ſeized of appropriations, *&c.* may reſtore ſame to any parſon, *&c.* and upon what truſt. AUGMENTATION OF BENEFICES, 7.

Where no parſon, *&c.* biſhop to conſtitute one when ſuch donation amounts to the third part of the impropriation. *ibid.* &c. 8.

Regulations as to preſentations of patrons, *&c. ib.* 12.

Miniſters to be ſubject to repairs of the chancel, *ibid.* &c. 13.

Approvement.

20 *H.* 3. *c.* 4. *Eng. mert.* Lords of waſtes, &c. may approve part, leaving ſufficient common beſides. APPROVEMENT, 1.

13 *E.* 1. *c.* 46. *Eng.* Neighbours as well as tenants bound by ſuch approvement. *ibid.* 2.

Bounds when thrown down by whom to be made good. *ibid.*

Appzobers.

14 *Ed.* 3. *c.* 10. *Eng.* Felony in a gaoler cauſing priſoner to become approver by dureſs. PRISONS, *&c.* 6.

Aqua Vitae. See Brandy.

Arbitration. See Award.

Archbiſhops. See Biſhops.

Arms and Armour.

7 *Ed.* 1. *Eng.* King to prohibit force of arms and other breaches of peace. ARMS, 1.

2 *Ed.* 3. *c.* 3. *Eng.* Penalty on perſons appearing with force and arms before the King's juſtices, &c. ARMS, 2.

7 *R.* 2. *c.* 13. *Eng.* Forfeiture on any riding in harneſs contrary to 2 *E.* 3. *c.* 3. *ibid.* 3.

20 *R.* 2. *c.* 1. *Eng.* A fine may be impoſed for bearing arms contrary to this act. ARMS, 4.

14 & 15 *Car.* 2. *ſeſſ.* 4. *c.* 8. Arms, &c. may be imported free. CUSTOMS, 24.

7 *Will.* 3. *ſeſſ.* 1. *c.* 5. Papiſts when and to whom to deliver up their arms on pain, &c. PAPISTS, 12.

Juſtices of peace to ſearch for arms, *&c.* and deliver them into the King's ſtores. *ibid.*

Penalty on maker of fire arms, *&c.* taking a papiſt apprentice. *ibid.* 14.

11 *G.* 2. *c.* 8. Penalty on carrying arms ſecretly. ARMS, 5.

13 *G.* 2. *c.* 6. Penalty on papiſts not delivering up or diſcovering arms, *&c.* PAPISTS, 115 to 129.

Power of juſtice of peace in ſearching for arms, *&c.* of papiſts. *ibid.* 125, *&c.*

Proteſtant ſervants not to keep arms by direction of a popiſh maſter. *ibid.* 128.

19 *G.* 2. *c.* 14. *ſtat.* 10. *Gul.* 3. For preſerving game ſhall not extend to proteſtants keeping arms for the defence of the King, &c. and their perſons and properties. GAME, 30, 31.

Army. See Soldiers.

Arrack. See Brandy.

Arreſt.

3 *E.* 1. *c.* 35. *Eng. Weſt.* 1. None except the King's miniſter to arreſt any perſon paſſing through a liberty, not holding thereof, for any contracts, &c. out of the liberty. ARRESTS, 1.

50 *Ed.* 3. *c.* 5. / 1 *R.* 2. *c.* 15. *Eng.* — Prieſts and their clerks officiating divine ſervice not to be arreſted on pain of impriſonment, &c. ECCLESIASTICAL PERSONS. &c.

7 *Will.* 3. *ſeſſ.* 1. *c.* 25. None to be arreſted on any proceſs (except *capias utlagatum*, *&c.*) not expreſſing the cauſe of action where defendant is bailable by 23 *H.* 6. *c.* 10. *Eng.* ARRESTS, 2.

None ſhall be compelled to give bond for appearance exceeding 40*l.* *ibid.*

Sheriffs, *&c.* ſhall bail ſuch defendants. *ibid.*

Upon attorney's appearance ſuch bond ſhall be diſcharged, *&c.* *ibid.* 3.

If plaintiff does not declare before the term next after appearance, nonſuit, *&c.* to be entered againſt him. *ibid.*

Arreſt.

1 *G.* 2. *c.* 8. Bodies of members of parliament privileged from arreſts, and at what times, *&c.* PARLIAMENT. 45, *&c.*

11 *G.* 2. *c.* 24. *Eng.* Perſons intitled to privilege of parliament not to be arreſted during privilege. *ibid.* 64.

Articles of Religion.

17 and 18 *C.* 2. *ſeſſ.* 5. *c.* 6. Governors of colleges to ſubſcribe the 39 articles, and declare their aſſent, *&c.* to the book of common prayer. SERVICE, *&c.* 54.

All ſubſcriptions made to the 39 articles ſhall extend to the 36th article. *ibid.* 70.

Artificers.

13 *R.* 2. *c.* 13. *Eng.* Penalty on artificer, *&c.* not having lands of 40*s.* *per ann.* keeping dogs, *&c.* to hunt, *&c.* GAME, 1.

1 *R.* 3. *c.* 9. *Eng.* Penalty on alien artificer exerciſing any handicraft trade, *&c.* or taking any apprentice, *&c.* (except his children) but a ſubject born. ALIENS, 1.

33 *H.* 8. *ſeſſ.* 1. *c.* 9. Juſtices of peace may in ſeſſions aſcertain the wages of artificers. LABOURERS. 1.

2 *G.* 1. *c.* 17. Demand of wages of artificers not exceeding 3*l.* by whom to be determined. SERVANTS, 4.

1 *G.* 2. *c.* 24. Penalty on ſervants of artificers, *&c.* imbezelling, *&c.* any goods, tools, *&c.* of the maſter above 5*s.* and under 40*s.* value. MINES, 18.

3 *G.* 2. *c.* 14. Contracts, *&c.* made in clubs by tradeſmen, *&c.* or ſettling prices of goods void. MANUFACTURES, 8, *&c.*

Penalty on perſons, *&c.* making ſuch rules, *&c.* *ibid.* 9.

On artificer departing before his time. *ibid.* 10.

In what caſes party not liable to the penalty. *ibid.* 11.

Work unfiniſhed may be compleated by any perſon, *&c.* *ibid.* 12.

Diſputes about the quantities, *&c.* of materials by whom to be decided. *ibid.* 13.

Employer may refuſe paying for materials before ſuch deciſion made, and may plead the general iſſue, *&c.* *ibid.*

Penalty, *&c.* on any maſter, *&c.* employing, *&c.* any artificer, *&c.* employed in the ſervice of another without his leave. *ibid.* 14.

Penalty on artificers, *&c.* damnifying any work, *&c.* *ibid.* 15.

Artificers, *&c.* how to be paid. *ibid.* 16.

Wages of artificers, *&c.* how to be recovered. *ibid.* 17.

Penalty on maſter charging employer with more pay for journeymen than they receive from the maſter, *&c.* *ibid.* 19.

5 *G.* 2. *c.* 4. Penalty on journeyman, *&c.* ſtriking, *&c.* another journeyman for working for his employer, be aiding, *&c.* aſſaulting, *&c.* the maſter, *&c.* for employing any perſons. MANUFACTURE, 20.

17 *G.* 2. *c.* 8. Clubs held by artificers, and for what purpoſes how puniſhable. *ibid.* 21, 22.

Artificers in what manner to be paid by their maſters. *ibid.* 24.

Perſons aggrieved in relation to paying artificers may appeal. *ibid.* 25.

25 *G.* 2. *c.* 8. Complaints by and againſt artificers, how determinable. SERVANTS, 19 to 23.

Aſhes.

12 *G.* 2. *c.* 18. Potaſhes imported contrary to this act to be forfeited, and the ſhip, *&c.* SHIPS, 11.

19 *G.* 2. c. 6. Penalty on mixing ſtone or ſand with foreign aſhes, or ſelling foreign aſhes ſo mixed. LINEN MANUFACTURE, 47.

Penalty on demanding cuſtom, *&c.* for potaſhes, *&c.* brought to fairs, &c. or toll for their paſſage except thro' turnpikes. *ibid.* 77.

No duty to be demanded on importation of foreign potaſhes or woodaſhes. *ibid.* 78.

Aſſault.

5 *H.* 4. *c.* 6. *Eng.* Penalty, &c. on any aſſaulting ſervant of a member of parliament, &c. not ſurrendering, and in what time, &c. PARLIAMENT, 5.

11 *H.* 6. *c.* 11. *Eng.* Penalty for any aſſault on any member of either houſe of parliament, &c. *ibid.* 12.

10 & 11 *C.* 2. *ſeſſ.* 4. *c.* 10. *Certiorari* to remove indictments of aſſault. CERTIORARI, 1.

2 *G.* 1. *c.* 11. Plaintiff in actions of treſpaſs, aſſault and battery, if damages be found under 40*s.* ſhall have no more coſts than damages. SUITS, 11.

If more coſts awarded, the judgment void. *ibid.*

21 *G.* 2. *c.* 12. Aſſault with intent to commit robbery, felony. ROBBERY. 53.

Aſſembly. See Riot.

Aſſeſſments.

12 *G.* 1. *c.* 9. Aſſeſſment by veſtries for repair of churches, how to be levied. CHURCHES, 14.

Appeal lies to the ſeſſions from ſuch aſſeſſments. *ibid.*

23 *G.* 2. *c.* 12. Aſſeſſment for maintenance of pariſh clerks, for what ſum, and how to be made. PARISH CLERKS, 2.

Aſſets.

2 *H.* 8. *c.* 18. Executors, &c. to make an inventory of wares and other aſſets. ADMINISTRATORS. 5.

Corn and cattle how to be rated. PROBATE OF WILLS, 9.

Money ariſing from lands ſold by deviſee ſhall not be deemed part of the goods of teſtator. *ibid.* 10.

7 *Will.* 3. *ſeſſ.* 1. *c.* 12. Truſt in fee ſhall be aſſets by deſcent. LIFE ESTATES, 4.

If no deviſe be made, eſtate *pur auter vie* ſhall be aſſets by deſcent in the hands of the heir who hath it by ſpecial occupancy. *ibid.* 4.

If no ſpecial occupant it ſhall be aſſets in hands of executors, &c. *ibid.*

Aſſignment.

7 *W.* 3. *ſeſſ.* 1. *c.* 12. Aſſignments of truſts to be in writing, &c. TRUSTS, 3.

No leaſes, &c. (ſave copyhold or cuſtomary intereſts) to be aſſigned, &c. without writing, &c. FRAUDS, &c. 21.

9 *Will.* 3. *c.* 35. Aſſignment of breaches of covenant. SUITS, 10.

2 *Geo.* 1. *c.* 6. Infant truſtees or mortgagees compellable, &c. to aſſign ſuch truſts, &c. INFANTS, 7.

8 *G.* 1. *c.* 6. Seneſchals, &c. ſhall aſſign bonds in replevin. REPLEVIN, 5.

9 *G.* 2. *c.* 5. Aſſignee of judgment, his executors and adminiſtrators may revive and ſue execution. JUDGMENTS, 15.

Aſſignment.

7 *G.* 2. *c.* 11. Forging, *&c.* any aſſignment, *&c.* to value of 5*l.* felony without clergy, *&c.* FORGERY. 17.

25 *G.* 2. *c.* 2, 14. Aſſignees of judgments, *&c.* may not only revive ſuch judgments, but bring debt or proceed thereon in their own names. JUDGMENTS, 14.

Such aſſignees to be conſidered to all intents in law and equity in the place of the aſſignors. *ibid.*

Aſſiſes.

9 *H.* 3. *c.* 12, 13. *Eng. Mag. Ch.* Aſſiſe of novel diſſeiſin, *&c.* to be taken in the proper county by juſtices, *&c.* ASSISES, 1, 2.

3 *E.* 1. *c.* 37. *Eng.* Damages and ſeiſin to diſſeiſee in aſſiſe of novel diſſeiſin. ASSISES, 3.

6 *E.* 1. *c.* 14. *Eng.* Perſons diſſeiſed of freehold to have their damages by recognizance of the aſſiſe, and the diſſeiſin to be amerced. ASSISES, 4.

13 *E.* 1. *c.* 25. *Eng. Weſt.* 2, Aſſiſe of novel diſſeiſin may be brought for eſtovers of wood, *&c.* ASSISES, 5.

Defendant failing in exception ſhall be adjudged a diſſeiſor. *ibid.*

7 *R.* 2. *c.* 10. Novel diſſeiſin lies for rent in divers counties to be held on the confines of ſuch counties. ASSISES, 6.

1 *H.* 4. *c.* 8. *Eng.* In what caſes ſpecial aſſiſe lies againſt King's patentee of lands. AID OF THE KING, 3.

4 *H.* 4. *c.* 8. *Eng.* Lord chancellor to grant a ſpecial aſſiſe upon forcible entry and diſſeiſor to be impriſoned, *&c.* ASSISES, 7.

6 *H.* 6. *c.* 2. *Eng.* Panels of aſſiſe ſhall be arrayed and indented copies delivered to plaintiff ſix days before the ſeſſions, bailiffs to make their return on pain of 40*l.* ASSISES, 8.

11 *H.* 6. *c.* 2. *Eng.* If ſheriff be named a diſſeiſor by colluſion ſo that the writ is directed to the coroner, writ ſhall abate and plaintiff be amerced. *ibid.* 9.

33 *H.* 8. *Seſſ.* 1. *c.* 3. Plaintiff in aſſiſe may abridge his plaint in the ſame manner as on pleas in bar. ASSISES, 10.

Aſſiſe of Bread, See Bread.

Aſſociates. See Juſtices of Aſſiſe.

Aſſurance. See inſurance.

Aſſumpſit. See Frauds.

Attachment.

7 *Will.* 3 *ſeſſ.* 1. *c.* 25. None to be arreſted on any proceſs not expreſſing the cauſe of action, except on attachment for reſcue, *&c.* ARRESTS, 2 & 4.

1 *Geo.* 2. *c.* 23. Attachment on non-appearance in *quare impedit.* ADVOWSONS, 11.

7 *Geo.* 2. *c.* 14. Client liable to attachment on non-payment of the attorney's taxed bill of coſts. ATTORNIES, 38.

Attaint.

3 *E.* 2. *c.* 38. and 14 *E.* 2. *c.* . *Eng.* Attaint granted in plea of land, *&c.* and the juries to be returned without delay. ATTAINT, 1, 2.

1 *E.* 3. *c.* 6. In a writ of treſpaſs, an attaint to be granted, and by whom, *&c.* *ibid.* 3.

5 *E.* 3. *c.* 6. *Eng.* *Niſi prius* granted in attaint, but no eſſoin or protection. *ibid.* 4.

Five days by the year to be granted by the juſtices of the bench. *ibid.*

Attaint.

c. 7. *Eng.* and 34 *E.* 3. *c.* 7. *Eng.* } Attaint ſhall be granted in treſpaſs if damages exceed 40 s. *ibid.* 5.

Shall be in plea real and perſonal. *ibid.* 7.

28 *E.* 3. *c.* 8. Attaint ſhall be granted as well upon a bill of treſpaſs as upon a writ of treſpaſs, &c. *ibid.* 6.

11 *H.* 6. *c.* 4. *Eng.* Plaintiff in attaint to recover againſt all the jurors, &c. damages, &c. for delay. *ibid.* 8.

15 *H* 6. *c.* 5. *Eng.* Defendant in attaint pleading a groundleſs foreign plea juſtices ſhall give judgment againſt him. ATTAINTS, 9.

18 *H.* 6. *c.* 2. Who may be impanelled upon attaints, notwithſtanding 5 *H.* 6. *c.* 5. *ibid.* 10, 11.

13 *H.* 8. *c.* 3. What perſons are qualified to be jurors in attaint *ibid.* 12.

On default of jurors in attaint in the county, &c. court may award proceſs to the ſheriff, &c. to ſupply the default with other jurors. *ibid.*

10 *C.* 1. *ſeſſ.* 2. *c.* 6. Attaint maintainable on falſe verdict notwithſtanding this ſtatute of limitations. PLEADINGS, 20.

9 *Will.* 3. *c.* 38. Writ of attaint when to be received and allowed. CORPUS CUM CAUSA, 2.

Attornies and Solicitors.

20 *H.* 3. *c.* 10. *Eng. Mert.* Freemen that owes ſuit to the county-court, &c. may make attorney to do ſuit. ATTORNIES, &c. 1.

6 *Ed.* 1. *c.* 8. *Eng.* Attornies may be made in treſpaſs wherein appeal lieth not. SUITS, 1.

13 *Ed.* 1. *c.* 10. *Eng. Weſt.* 2. Any perſon may make a general attorney to ſue in all places during the circuit of juſtices in eyre. JUSTICES IN EYRE, 3.

33 *E.* 1. *Eng.* Penalty on attorney taking a ſuit for champerty. MAINTENANCE, 6.

12 *E.* 2. *c.* 1. *Eng.* Tenant in aſſiſe of novel diſſeiſin, may make attornies. ATTORNIES, &c. 2.

15 *E.* 2. ſtat. of *Carliſle*, ſtat. 1. *Eng.* Power of chancellor, &c. to admit attornies, and in what caſes. *ibid.* 3.

7 *R.* 2. *c.* 14. *Eng.* Perſons departing the kingdom with the King's licenſe, may have patent from the chancellor to make general attornies to anſwer in writs of *premunire*. *ibid.* &c. 4.

13 *R.* 2. *c.* 16. *Eng.* When perſons notwithſtanding protection *quia profecturus* muſt make attornies in pleas, &c. PROTECTION, 4.

4 *H.* 4. *c.* 18. *Eng.* In what manner attornies ſhall be examined, and the nature of their oath. ATTORNIES, &c. 5.

Juſtices to remove attornies for miſdemeanor. *ibid.*

c. 19. *Eng.* No officer of franchiſe ſhall be attorney within the ſame. *ibid.* 6.

5 *H.* 4. *c.* 8 *Eng.* Attornies in feigned ſuits of debt, examinable by the judges. WAGER OF LAW, 3.

7 *H.* 4 *c.* 13. *Eng.* Impotent perſons outlawed may make attorney. ATTORNIES, &c. 7.

31 *H* 8. *ſeſſ.* 2. *c.* 3. When attornies ſhall enter warrants on pain, &c. PLEADINGS, 9.

11, 12 and 13 *W.* 1. *c.* 8. Attornies ſuing out exigents without taking out proclamations, ſhall forfeit 40*s.* OUTLAWRY, 8.

16 *C.* 1. *ſeſſ.* 2. *c.* 12. Attorney in any action ſhall deliver his warrant to be filed on pain of 10*l.* and impriſonment. PLEADINGS, 19.

Attornies and Solicitors.

7 *W.* 3. *ſeſſ.* 1. *c.* 18. No attorney or ſolicitors to be appointed for taking bail in the county. BAIL, 9.

6 *A.* *c.* 6. Attorney, &c. to give their teſtimony againſt papiſts acting as ſolicitors. ATTORNIES, &c. 14, 15.

No attorney, &c. to take a papiſt apprentice. *ibid.* 16.

2 *G.* 1. *c.* 11. Attornies fees on civil bills. CIVIL BILLS, 8.

Penalty on attorney not admitted in the four courts, &c. practiſing on civil bills. *ibid.* 11.

No attorney who is a juſtice of the peace ſhall practiſe on civil bills in the county where he is a juſtice. *ibid.*

6 *G.* 1. *c.* 6. No ſatisfaction of judgment to be entered of record by attorney, except he prove his warrant by affidavit of one witneſs. JUDGMENTS, 4.

1 *G.* 2. *c.* 20. Attornies before practice to take the oaths, &c. appointed by 2 *A.* PAPISTS, 109.

7 *G.* 2. *c.* 5. Who ſhall be admitted and licenſed, and how to practiſe as attornies, &c. and indentures of apprenticeſhip where to be regiſtered. ATTORNIES, &c. 20, 21, 22.

Oath required from attorney, &c. as to employing popiſh perſon, &c. *ibid.* 23, 24, &c.

On death of attorney apprentice on ſerving the remainder, &c. may be ſworn. &c. *ibid.* 33.

Attornies may practice in capital caſes as before this act. *ibid.* 37.

7 *G.* 2. *c.* 14. No attorney ſhall commence an action for a bill of coſts till a month after furniſhing the client with the ſame, &c. ATTORNIES, &c. 38.

In what manner the bill ſhall be taxed. *ibid.*

Pending ſuch taxation no action to be commenced, &c. *ibid.*

Client to pay the whole ſum taxed, and be diſcharged. *ibid.*

On default liable to attachment, &c. *ibid.*

Attorney, &c. to refund if overpaid or to be attached. *ibid.*

In what caſe court to award coſts on the taxation. *ibid.*

Attorney General.

33 *H.* 6. *c.* 4. Statutes againſt eſcheators not to extend to the attorney-general. ESCHEATORS. 11.

8 *G.* 1. *c.* 6. Attorney-general may execute writs of aſſiſe and *niſi prius*, &c. and be a commiſſioner of *Oyer* and *Terminer*, gaol delivery, &c. NISI PRIUS, 9.

Attornment.

6 *A.* *c.* 10. All grants, &c. of manors, &c. ſhall be good without attornment of tenants, but tenants not to be prejudiced by ſuch grants without notice. ATTORNMENT, 1, 2.

15 *G.* 2. *c.* 8. Attornment of tenants void except by judgment at law, &c. *ibid.* 3.

Augmentation of benefices.

33 *H.* 8. *ſeſſ.* 1. *c.* 14. Pariſh churches appropriated to religious houſes, &c. having no vicar endowed, the lord deputy, &c. ſhall preſent one, &c. AUGMENTATION, &c. 1.

Augmentation of benefices.

10 & 11 *C.* 1. *c.* 2. Perſons ſeized of appropriations, &c. may reſtore the ſame to any parſon, &c. and upon what truſt. *ibid.* 7.

When ſuch donation amounts to the third part of the impropriation, a miniſter may be ordained, &c. *ibid.* 8.

Perſons of full age, &c. ſeiſed of any eſtate of inheritance in poſſeſſion in any parſonage, &c. may preſent a clerk, *&c.* *ibid* 9, 10, 11.

Regulations as to preſentation of patrons, *&c.* *ibid.* 12.

Miniſters to be ſubject to repairs of the chancel. *ibid.* 13.

14 and 15 *C.* 2. *c.* 2. All impropriations, *&c.* forfeited to the crown are given to the church for ever, as ſoon as unforfeited leaſes are out, *&c.* *ibid.* 14.

Not to extend to alter any impropriate tithes. *&c.* ſettled by the lord lieutenant, *&c.* *ibid.* 15.

17 and 18 *C.* 2. *c.* 2. All impropriations, *&c.* veſted in his Majeſty ſhall be veſted in incumbents ſubject to reſervations. *&c* *ibid.* 16.

10 and 11 *W.* 3. *c.* 2. *Eng.* Advowſons, *&c.* forfeited in Ireland, appropriated to augmentation of ſmall livings. *ibid.* 17.

5 *d. c.* 25. *Eng.* Rectories impropriate in whom to be veſted, *&c.* Bonds concerning rectories to be recoverable in the name of the obligees, *&c.* *ibid.* 18, 19, 20.

2 *G.* 1. *c.* 14. Archbiſhops, *&c.* with the approbation of the chief governor, *&c.* may endow any vicarage with a convenient portion of glebe, *&c.* *ibid.* 28.

Biſhops, *&c.* with ſuch approbation may exchange any rectory for another in the ſame dioceſe, *&c.* *ibid.* 29.

Every perſon enjoying the benefit of ſuch exchange ſhall be under obligation to perform all manner of duties, *&c.* as the former incumbents were, *&c.* *ibid.* 30.

5 *G.* 2. *c.* 18. Biſhops, *&c.* to return the yearly value of all livings, with cure not exceeding 30*l. per ann.* to the commiſſioners of the firſt-fruits, *&c.* which return ſhall be recorded and deemed the only evidence of ſuch value, *&c.* *ibid.* 31, 32.

Provided augmentations ſhall not exceed 70*l. per ann.* Perſons contributing to the augmentation of benefices, ſhall have a right of preſentation, *&c.* *ibid.* 33.

Any perſon or body politic may allot one acre two miles from the church to build a chapel, and endowing with 30*l.* and not above 50*l. per ann.* to be the patrons for ever, and may give name to the chapel, *&c.* *ibid.*

Where two or more erect and endow a chapel, their heirs, *&c.* may preſent by turns as ſhall be agreed in the deed of endowment. *ibid.* 34.

Churches or chapels augmented or endowed ſhall be perpetual cures, *&c.* *ibid.* 38.

Grants, *&c.* to be made for the augmentation of any church, *&c.* ſhall be good whether vacant or not. *ibid.* 40.

No deeds of grant for any augmentation, *&c.* ſhall be effectual without conſent of the commiſſioners of firſt-fruits, *&c.* *ibid.* 41.

Impropriators, *&c.* of augmented churches to have no benefit by ſuch augmentation, *&c.* but ſhall pay the curates ſuch penſions as before this act. *ibid.* 42.

Augmentation of benefites.

All churches, *&c.* augmented by this act ſhall be ſubject to the viſitation of the archbiſhop, *&c.* of the dioceſe wherein they are. *ibid.* 44.

Lapſe on avoidence of augmented churches to be as in other caſes with like remedy. *ibid.* 45.

Non-reſidence on augmented livings for more than 61 days in a year creates an avoidence. *ibid.*

A ſaving to the King and all bodies corporate, &c. *ibid.* 48.

29 *G.* 2. *c.* 18. Primate Boulter's effects veſted in truſtees for the augmentation of poor livings. *ibid.* 49.

Intereſt of money to be diſpoſed of in augmenting benefices or curacies under the value of ſixty pounds a year.

Biſhops to inquire into the value of ſuch living, and to return certificates of the valuations to the truſtees of the firſt-fruits. *ibid.* 50.

Certificates to be entered in books, and atteſted and ſubſcribed by a *quorum* of the ſaid truſtees. *ibid.*

The truſtees may augment benefices or cures to 60*l.* a year, by granting ſalaries. *ibid.* 51.

The proviſions of this act are extended to united benefices. *ibid.* 52.

Deduction from ſalaries in caſe of failure of the fund by lowering of the intereſt of money, &c. *ibid.* 53.

No augmentation to be granted but where there ſhall be a church or chapel in repair for divine ſervice, to be performed every Sunday. *ibid.* 54.

Salary not to commence until a church or chapel ſhall be actually built and fitted for ſervice. *ibid.*

In caſes of non-reſidence or wilfull abſence for 61 days in any year, without licence, or diſcontinuance of divine ſervice, ſalaries to ceaſe during that incumbency. *ibid.* 55.

Incumbency of an augmented benefice to be void upon accepting an other benefice. *ibid.* 56.

Nomination to an augmented benefice of a perſon having a benefice utterly void. *ibid.*

No lapſe upon avoidance 'till ſix months after notice. *ibid.* 57.

Miniſters of augmented benefices ſhall be bodies corporate and have perpetual ſucceſſion. *ibid.* 58.

Such ſalaries as are due of right ſhall be paid by impropriators, &c. of the mother church. *ibid.*

Rectors or vicars of mother church not to be diſcharged from duty. *ibid.* 59.

Lapſe and right of nomination, &c. as in preſentative benefices. *ibid.* 60.

Right to nominate at any time before advantage taken of lapſe. *ibid.* 61.

Donatives augmented, ſubject to the viſitation of the biſhop of the dioceſe. *ibid.* 62.

No augmentation of donatives without the conſent of the patron in writing. *ibid.* 63.

Agreement with patrons, impropriators, &c. for an allowance to curates, &c. before augmentation. *ibid.* 64.

Conſent of the patron and ordinary to all ſuch agreements. *ibid* 65.

Truſtees may adminiſter to perſons examined as witneſſes, &c. *ibid* 66.

Augmentation of benefices.

Certificates, agreements, and orders to be entered in books. *ibid.* 67.

Copies of entries to be evidence as to the matters contained in them. *ibid.*

Aulnage, See Alnager.

Avowry.

13. *E.* 1. *c.* 2. *Eng. Weſt.* 2. Avowry of lords may be on ſeiſin of the anceſtor, &c. REPLEVIN, 3.

33 *H.* 8. *ſeſſ.* 1. *c.* 7. Upon replevin, &c. for diſtreſs for rent, &c. lord or bailiff may avow or make conuſance without naming the tenant. AVOWRY, 4.

Avowant to recover damages and coſts, &c. *ibid.* 5.

Both parties (except in diſclaimer) to have like pleas as at common law. *ibid.* 6, 7.

c. 13. Damages and coſts recoverable by avowants. *ibid.* 8.

10 *C.* 1. *ſeſſ.* 2. *c.* 1. *Ceſtuy q. uſe* may avow for rent or profits of lands. USES, 4.

c. 6. Seiſin of a man's anceſtor or his own in avowry, &c. ſhall lie within 40 years. LIMITATIONS, 2.

7 *W.* 3. *c.* 22. Avowant ſhall have judgment for arrears of rent with coſts, &c. and a writ of inquiry, &c. AVOWRY, 9, 10, 11.

9 *G.* 2. *c.* 5. Diſtreſs taken by landlord, &c. for arrear of rent where the title, &c. is not in queſtion, and a replevin is taken for ſuch diſtreſs, what avowant may ſet forth in his avowry. *ibid.* 12.

Want thereof no cauſe of demurrer to ſuch avowry. *ibid.*

25 *G.* 2. *c.* 13. Avowry maintainable on diſtreſs for rent of lands held under article in writing. *ibid.* 13.

Award.

10 *W.* 3. *ſeſſ.* 2. *c.* 14. Submiſſion to an award in things for which no remedy but a perſonal action or ſuit in equity may on agreement be made a rule of court, &c. ARBITRATION, 1.

In what caſe parties to be concluded by ſuch arbitration, &c. *ibid.*

Proceſs to iſſue to enforce ſuch rule. *ibid.*

Penalty on perſons refuſing obedience, &c. *ibid.*

Arbitration, &c. by corruption, &c. to be ſet aſide, &c. *ibid.* 2.

Complaint when to be made. *ibid.*

Bacon.

18 *C.* 2. *c.* 2. *Eng.* No bacon, &c. to be imported from Ireland, &c. into England, Wales, &c. on pain of forfeiture. CATTLE, 1.

Conſtables, &c. may ſeize ſame. *ibid.*

Badger.

8 *E.* 4. *c.* 2. Penalty on badgers buying in one market and ſelling in another for profit. CORN, 1.

Bail and Mainprize.

3 E. 1. *c.* 15. *Eng. Weſt.* 1. Perſons for what offences not bailable. BAIL, 1.

Perſons for larceny bailable. *ibid.*

Penalty on officers ſetting priſoners not bailable at liberty, &c. or with holding perſons bailable. *ibid.*

3 *H.* 7. *c.* 4. *Eng.* Two juſtices may bail perſons bailable till the next quarter ſeſſions. BAIL, 2.

5 *E.* 3 *c.* 8. *Eng.* Where perſons indicted or appealed for felonies, ſhall not be bailed. PRISONS AND PRISONERS, 5.

10 *C.* 1. *ſeſſ.* 2. *c.* 18. None to be bailed who are not bailable by 3 *E.* 1. *c.* 15. *Eng.* and none for manſlaughter, &c. but in ſeſſions, except by two juſtices *quorum unus.* BAIL, 3. and 4.

Juſtices before bail to examine the priſoner and proſecutor, and certifie the ſame at the next gaol delivery, and on default to be fined. *ibid.* 5.

10 *C.* 1. *ſeſſ.* 3. *c.* 20. Felony to acknowledge bail in the name of a perſon not privy to the acknowledgment. FELONY, &c. 13.

10 and 11 *C.* 1. *c.* 10. Bail for the peace bound in another's name, or for more than he is realy worth, to be puniſhed by the diſcretion of the juſtices. SURETY OF THE PEACE, 4.

7 *W.* 3. *ſeſſ.* 1. *c.* 18. Who may appoint commiſſioners ten miles from Dublin, to take bail for actions in the courts of King's bench, &c. and fee for commiſſion to take ſuch bail is 13*s.* 4*d.* *&c.* BAIL, 9.

Such bail to be received on affidavit of the recognizance of the bail piece. *ibid.*

Judges may make orders for juſtifying ſuch bail, but ſhall not require them to appear to in perſon. *ibid.* 10.

Judges on circuit may take bail, *&c.* which ſhall be received without oath. *ibid.* 11.

Perſonating another in ſuch bail, felony. *ibid.* 12.

7 *W.* 3. *ſeſſ.* 1. *c.* 25. In what ſum bond for appearance ſhall be given where defendant is bailable by 23 *H.* 6. *c.* 10 *Eng.* ARRESTS, 2.

c. 25. Where bail is liable there muſt be 15 days between *teſte* and return of a *venire*, *&c.* PROCESS, 11.

6 *A.* *c.* 7. In what caſes coroners may take bail. EXECUTION, 14.

6 *A.* *c.* 10. Sheriffs, *&c.* obliged to aſſign the bail bond to the plaintiff on his requeſt. BAIL, 13.

c. 15. Bail given in one action in the four courts, not chargeable in any other action. *ibid.* 14.

6 *G.* 1. *c.* 6. On what actions and for what ſums and for what reaſons perſons may be held to ſpecial bail. ARRESTS, 5.

Defendant held on ſuch ſpecial bail on appearance of his attorney to be diſcharged. *ibid.*

Bailiffs and Bailiwicks.

3 *E.* 1. *c.* 24. *Eng.* Penalty on bailiff, *&c.* without ſpecial authority diſſeiſing a man of his freehold. DISSEISIN.

13 *E.* 1. *c.* 37. *Eng.* Penalty on any taking diſtreſſes but known bailiffs. DISTRESS, 10.

12 *E.* 2. *c.* 5. *Eng.* On return of writs delivered by bailiffs of franchiſes to ſheriffs, indentures muſt be made between the bailiff and ſheriff. RETURN OF WRITS, 2.

Bailiffs and Bailiwicks.

14 *E.* 2. *c.* 1. *Eng.* In what caſes ſheriffs farming or having bailiwicks ſhall be liable to diſtreſs. SHERIFFS, 6.

2 *E.* 3. *c.* 4. *Eng.* Bailiffs of fee muſt keep their bailiwicks by ſuch as have lands therein. *ibid.* 7.

2 *E.* 3 *c.* 4. *Eng.* Bailiffs of fee muſt keep their bailiwicks by perſons ſeized therein of lands. SHERIFFS, 7.

5 *E.* 3. *c.* 4. *Eng.* Bailiffs of franchiſe muſt have lands ſufficient to anſwer to the King and his ſubjects. SHERIFFS, 8.

14 *E.* 3. *c.* 9. *Eng.* Sheriffs muſt appoint bailiffs ſeized of lands in their bailiwicks for whom they will anſwer. SHERIFFS, 10.

4 *H.* 4. *c.* 5. *Eng.* Sheriffs muſt abide in perſon on their bailiwicks, and not farm them, and be ſworn for that purpoſe. SHERIFFS, 16.

Bakers.

51 *H.* 3 Eng. Stat. *Pillory*, c. 6 *Eng. Ordin for bakers*, &c. *inc. temp.* c. 2. } Bakers, &c. not obſerving the aſſiſe of bread, to be amerced for the firſt, ſecond, and third offences, and for ſubſequent offences, to be put on the pillory. VICTUALS, 1. BREAD, 2.

Stat *of York*, 12 *E.* 2. *c.* 6. *En.* Penalty on bakers not ſelling at reaſonable profit. VICTUALS, 4

23 *E.* 3. *c.* 6. *Eng.* Penalty on bakers not ſelling at reaſonable prices. *ibid.* 6.

Ballaſt.

6 *A. c.* 20. A ballaſt office to be erected in Dublin. DUBLIN, 1, 2, &c.

Ballaſt to be raiſed out of the Anna Liffy to furniſh ſhips, *ibid.* 2.

Wherries plying on the river, and lighters, what duty to pay *per annum*. *ibid.* 7.

6 *A. c.* 20. Officers of the port not to clear any ſhip without a diſcharge from the ballaſt office, unleſs a neglect appears in the ballaſt officers, &c. *ibid.* 8.

Forfeiture on maſter of the ballaſt office refuſing or delaying. *ibid.*

The ſurplus of the money of this office how to be applied. *ibid.* 9.

The lord mayor triennially to lay an account of the annual produce, and how applied, before the government, on pain, &c. *ibid.* 10.

No ballaſt to be raiſed in the ſtrand, nor from one ſhip to another, on pain, &c. *ibid.* 13.

Fees payable to the ballaſt office. *ibid.* 4 to 8, &c.

8 *G.* 1. *c.* 15. Ballaſt maſter may diſtrain the ſails, &c. of any lighter, &c. for any ſums due. *ibid.* 19.

No ſhip above thirty tons to ſail coaſtways without a diſcharge from the ballaſt office. *ibid.* 20.

10 *G.* 1. *c.* 3. Directors of the ballaſt office on neglect of the owners may after ten days remove any ſhip, &c. ſunk in the river, and on neglect of paying the charge to ſell the ſame, &c. *ibid.* 21.

The directors to place perches, and where, &c. *ibid.* 22.

Ballaſt.

3 *G.* 2. *c.* 21. A ballaſt office to be erected in Cork under the like regulations as in Dublin. BALLAST, 1.

The fees and price of ballaſt. *ibid.* 4, &c.

Balloting, See Juries.

Bankers.

29 *G.* 2. *c.* 16. Every bankers name mentioned in notes or receipts. Penalty 100*l.* BANKERS, 1.

Not to trade as merchants. Penalty 1000*l.* *ibid.* 2.

Caſhiers or clerks embezzling 50*l.* value, felony without clergy; and in receivers knowingly. *ibid.* 3.

Penalty ſued in 12 months. *ibid.* 4.

8 *G.* 1. *c.* 14. For ſecuring payment of bankers notes. *Repealed* 33 *G.* 2. *c.* 14. *ibid.* 6.

Conveyances of real eſtate before 1ſt Auguſt 1760, not regiſtered and inrolled purſuant to 8 *G.* 1. *c.* 14. void againſt creditors. *ibid.* 7.

Conveyances ſubſequent affecting real, leaſehold, or mortgages (ſave leaſes for three lives or 31 years at full improved rent without fine) regiſtered in publick office in one month, if out of the kingdom in three: or void as to creditors, though for valuable conſideration. *ibid.* 8.

Made after 10 May 1760 to or for children or grandchildren, void as to creditors, tho' for valuable conſideration, and tho' not ſo at the time. *ibid.*

Notes and receipts after 10 May 1760 with promiſe for intereſt, void. *ibid.* 9.

Intereſt from demand, unleſs agreement to contrary. *ibid.* 10.

Receipt or diſcharge after ſtopping payment, void; and conveyances, though for valuable conſideration, unleſs for all creditors in courſe of payment, or agreed to by all. *ibid.* 11.

Stopping payment between 1ſt of this ſeſſion and 15 April 1760, and before 1 June veſting ſufficient in truſtees, freed from arreſts till 5 March 1762, on motion in the court whence proceſs, or in chancery. *ibid.* 12.

On abſconding, death, &c. all real and perſonal ſubject to all debts without preference; except contracted before becoming banker, or ſecured by regiſtry, which ſhall have ſame effect as if this act not made. *ibid.* 13.

No privilege on abſconding, &c. ſave perſon. *ibid.* 14.

Deeds in 3 months after ſtopping payment, veſting ſufficient in truſtees for all debts at the time and expence of the truſt, valid; and the eſtates veſted according to the rights, freed from debts, except a preference hereby: purchaſers from truſtees to hold accordingly; and not to ſee the money applied: if ſufficient, truſtees may apply in courſe to debts hereby firſt intitled, and then to others as moſt for advantage of the truſt. *ibid.* 15.

Truſtees approved by majority in value of creditors, or lord chancellor, &c. *ibid.* 16.

And ſuch payments ſo made. *ibid.* 17.

Notes of bank ſtopped ſince firſt of ſeſſion paid before receipts. *ibid.* 18.

Bankers.

New truſtees appointed by chancery on petition of majority of creditors in value. *ibid.* 19.

None intruſted with publick money or revenue, to be banker or diſcount: penalty 20*l.* every note, by civil bill. *ibid.* 20.

Creditors to demand in 3 years after bank ſhut: or barred; and payment pleaded, *&c.* *ibid.* 21.

Not extended (the laſt clauſe excepted) to bankers, for whom a law made this ſeſſion. *ibid.* 22.

Bankers Notes.

3 *G.* 2. *c.* 4. Stealing or taking by robbery bankers notes for money, felony in the ſame degree as if goods of like value were taken, but no corruption of blood. FELONY, 55.

Bans of Matrimony.

9 *G.* 2. *c.* 11. Miniſters publiſhing banns of matrimony between a proteſtant and a papiſt, or without a certificate that the parties are of the proteſtant or popiſh religion, liable to eccleſiaſtical cenſures as for a clandeſtine marriage. MARRIAGES, 29.

Bargain and Sale, See Inrollments.

Baron and Feme.

1. Where the wife may be admitted to defend on default of the husband, 13 *E.* 1. *c.* 3. CUI IN VITA.

2. A wife that continues with her advowterer ſhall be barred of her dower, 13 *E.* 1. *ſt.* 1. *c.* 34. *ibid.*

10 *C.* 1. *ſeſſ.* 3. *c.* 6. Wife muſt be party to any leaſe made of her own lands by the husband, and the rent to be reſerved to husband and wife. LEASES, 3.

21 *G.* 2. *c.* 11. Suits in behalf of *femes covert* for avoiding recoveries muſt be commenced, in what time, and by whom. RECOVERIES, 11.

Barracks.

4 *G.* 1. *c.* 7. The chief governor to appoint commiſſioners to purchaſe ground, *&c.* for barracks and light houſes. BARRACKS, 1.

Perſons refuſing to treat for the lands on 31 days notice, *&c.* ſheriffs, *&c.* to return a jury to value the ſaid lands upon oath. *ibid.* 1.

Inquiſition where to be returned, and to be concluſive, *&c.* *ibid.* 1, 2, 3.

Such lands to be veſted in the King, and for what uſe. *ibid.* 3.

The purchaſe money to be part of the militaryliſt, *&c.* *ibid.* 4.

3 *G.* 2 *c.* 5. Commiſſioners to aſcertain the ground and rent, *&c.* of hoſpitals for ſick ſoldiers in like manner. *ibid.* 6.

21 *G.* 2. *c.* 9. Perſons enabled to ſell, *&c.* lands for building new barracks. *ibid.* 7.

No tenant for life, *&c.* ſhall ſell, *&c.* lands enjoyed with the manſion houſe 20 years before ſuch ſale, *&c.* *ibid.* 8.

Barracks.

Rents of ſuch lands how to be adjuſted and the payment approportioned. *ibid.* 11.

Both acts continued ſo far as impowering perſons to convey to the King, *&c.* and as to appointing commiſſioners, to 25 March 1768, *&c.* by 31 *G.* 2. *c.* 9. *ſect.* 10.

Barratoys.

How puniſhed, 3 *E.* 1. *c.* 33.

Barriſter at Law.

3 *E.* 1. *c.* 29. *Eng. Weſt.* 1. Penalty, *&c.* on pleader acting, *&c.* in diſceit of the court or party. PLEADINGS. 3.

33 *H.* 8. *ſeſſ.* 2. *c.* 3. None to be admitted a barriſter that is not years reſident at one of the inns of court of England. *ibid.* 10.

3 & 4 *W.* & *M.* *c.* 2. *Eng.* The oaths of allegiance and ſupremacy, *&c.* to be taken, *&c.* by every barriſter. OATHS, 3.

1 *A. ſtat.* 2. *c.* 17. *Eng.* Barriſters required to take the oaths appointed by this act. *ibid.* 8.

6 *A.* *c.* 6. Barriſters, *&c.* to give their teſtimony againſt papiſts acting as ſolicitors, *&c.* ATTORNIES, *&c.* 15.

8 *A.* *c.* 3. Barriſters converted from popery muſt breed their children proteſtants or be ſubject to the incapacities of papiſts. PAPISTS, 82.

1 *G.* 2. *c.* 20. A convert or child of popiſh parents before admiſſion to the bar muſt prove before the judges that he has been a proteſtant, and for what time, *&c.* *ibid.* 109.

Perſons applying to be called to the bar, ſix clerks, *&c.* ſhall before application or practice take the oaths, *&c.* *ibid.*

7 *G.* 2. *c.* 5. Barriſters, *&c.* admitted, when to take the oath, *&c.* ATTORNIES, 23.

Neglecting incapable of acting till they take the oath. *ibid.*

Baſtard and Baſtardy.

20 *H.* 3. *c.* 9. Perſons born before marriage to be deemed baſtards. BASTARDY, 1.

25 *E.* 3. *Eng. Stat. de natis ultra mar.* Stat. c. 13. Trial of baſtardy of one born beyond the ſea, in what manner to be. NATURALIZATION, 1.

9 *H.* 6. *c.* 11. *Eng.* No writ ſhall iſſue to certify baſtardy before three proclamations in chancery, *&c.* BASTARDY, 2.

6 *A.* *c.* 4. Mother of a baſtard child concealing the death guilty of murder unleſs proved to be dead born. MURDER, 8.

Battery, See Aſſault.

Bays, See Drapery.

Beau Pleader.

52 *H.* 3. *c.* 11. *Eng.* No fines to be taken in any court for fair pleading. PLEADINGS, 1.

Beef.

18 *C.* 2. *c.* 2. and 32 *C.* 2. *c.* 2. *Eng.* } Forfeiture of beef, *&c.* except for ſhips proviſion imported from Ireland, *&c.* into England, *&c.*

Conſtables, *&c.* may ſeize ſame. CATTLE, 1, *&c.*

2 *A.* *c.* 15. Beef in barrel, *&c.* for exportation under 5 years old to be forfeited. BEEF, *&c.* 1.

2 *A.* *c.* 15. Beef for tranſportation to be 200 weight in each barrel on pain of forfeiture, *&c.* *ibid.* *&c.* 3.

2 *G.* 1. *c.* 16. Penalty on ſlaughtering beef, *&c.* not in the 5th year of his age at leaſt. *ibid.* 11.

8 *G.* 1. *c.* 7. Beef, *&c.* in veſſels of what content, *&c.* to be packed for exportation, penalty on offending, and how recoverable. BEEF, *&c.* 12, 13, *&c.*

Beer and Ale.

14 and 15 *C.* 2. *c.* 9. Rates of exciſe for beer, *&c.* what and how recoverable, *&c.* BEER AND ALE, 8.

Lawful to export beer or ale as merchandize, to be ſpent beyond ſeas. *ibid* 2.

Repayment of exciſe upon exportation and certificate of the officer. *ibid.*

Penalty of 50*l.* and forfeiture of the liquor on relanding in this kingdom. *ibid.* 3.

Liquor ſpent on ſhip board to be charged in victualling bill. *ibid.*

6 *A.* *c.* 1. Selling beer in veſſels under gage or not branded, the penalty. *ibid.* 4.

Coopers making veſſels under gage the penalty. *ibid.* 5.

5 *G.* 3. *c.* 1. Additional duty of two ſhillings a barrel on ale. *ibid.* 11.

5 *G.* 3. *c.* 16. Perſons ſelling malt liquors under ten gallons to be deemed retailers. *ibid.* 22.

Concealing beer unlawfully brewed, the penalty. *ibid.* 23.

Beggars, See Vagrants.

23 *G.* 2. *c.* 11. Begging children to be ſent to charter-ſchools

Belfour.

19 *G.* 2. *c.* 21. Penalty on their neglect, *&c.* to apprehend beggars, *&c.* DUBLIN, 60.

Benefices.

28 *H.* 8. *c.* 11. *Eng.* Tithes, fruits, *&c.* accruing during vacancy of benefice ſhall go to the next preſentee, and forfeiture on ordinary not reſtoring the fruits to the next incumbent. VACATIONS, 1, 2.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 2. All leaſes, grants, *&c.* by any parſon, *&c.* on a benefice with cure to be good only during reſidence, *&c.* LEASES, 6.

17 and 18 *C.* 2. *ſeſſ.* 5. *c.* 10. No biſhop, *&c.* having promotions, *&c.* in England ſhall enjoy any benefices in Ireland at the ſame time. ECCLESIASTICAL PERSONS, &c. 19.

Grants to ſuch perſons void. *ibid.*

Iriſh clergymen accepting Engliſh benefice, the Iriſh livings void. *ibid.*

Benefices.

21 *G.* 2. *c.* 10. Freehold coming by preſentation to a benefice after a vacancy in parliament qualifies to vote for members. PARLIAMENT, 90.

Benefit of Clergy, See Clergy.

Bigamy.

10 *C.* 1. *ſeſſ.* 2. *c.* 21. Bigamy made felony of death except in caſe of abſence ſeven years, *&c.* MARRIAGES, 2, 3.

12 *G.* 2. *c.* 3. A man or woman convicted of bigamy after claim of clergy allowed to be tranſported. *ibid.* 25.

Bills of Exchange.

8 *A.* *c.* 11. Bills of exchange in Ireland of 5 *l.* and upwards, *&c.* value expreſſed to be received may after acceptance, and in what time after due, *&c.* be proteſted. BILLS and NOTES, 1, 2, *&c.*

In what time notice of proteſt to be given to the party from whom received who is to pay the contents, *&c.* *ibid.* 2.

On default the indorſee, *&c.* liable to the coſts, *&c.* *ibid.* 9.

Where acceptance of bill for a debt ſhall be deemed compleat payment. *ibid.* 7.

The drawer to give new bills within the time if loſt and on what conditions. *ibid.* 3.

The parties remedy againſt the drawer, acceptor or indorſer ſaved. *ibid.* 8.

3 *G.* 2. *c.* 4. Stealing, *&c.* bills of exchange, felony, *&c.* but no corruption of blood. FELONY, *&c.* 55.

Forging, *&c.* or uttering as true any bill of exchange, *&c.* for 5 *l.* felony. FORGERY, 14.

Such felon to be burnt in the hand or tranſported. *ibid.*

17 *G.* 2. *c.* 11. Perſons convicted on 3 *G.* 2, *c.* 4. for forging bills of exchange, *&c.* ſhall be excluded from the benefit of clergy or the ſtatute. *ibid.*

Biſhops.

Mag. Chart. 9 *H.* 3. *c.* 5. *Eng.* *Weſt.* 1. 3 *E.* 1. *c.* 21. *Eng.* } Biſhops ſhall keep up the houſes of their biſhopricks *&c.* and ſuſtain their lands without deſtruction. BISHOPS, 1, 2.

17 *E.* 2. *c.* 14. *Eng.* Eſcheats of biſhops tenants attainted of felony during vacation ſhall come to the King. BISHOPS, 3.

1 *E.* 3. *c.* 2. *Eng.* 14 *E.* 3. ſtat. 4. *c.* 3. *Eng.* } King ſhall not ſeize the temporalities of biſhops without cauſe. *ibid.* 4, 6.

1 *E.* 3. Stat. 2. *c.* 10. *Eng.* The King ſhall not deſire of biſhops penſions, *&c.* except where due. *ibid.* 5.

4 *E.* 3. Stat. 4. *c.* 4. *Eng.* On vacancies of archbiſhopricks, *&c.* eſcheators, ſhall enter for the preſervation of the vacancies. BISHOPS, 7.

c. 5. *Eng.* During vacancies of archbiſhopricks, *&c.* leaſes may be made, by and to whom. *ibid.* 8.

Biſhops.

25 *E.* 3. Stat. 3. *c.* 6. Fines may be impoſed on biſhops on judgments for contempts in *quare non admiſit*. *ibid.* 9.

2 *E.* cap. 4. *Conge d'eſlier* for election of archbiſhops, biſhops, &c. taken away, and crown may appoint them by patent. BISHOPS, 10.

To whom notice ſhall be ſignified on the collation of archbiſhops or biſhops. *ibid.* 11.

Penalty on archbiſhops and biſhops on ſuch notice not conſecrating the perſon collated, in 20 days after they receive the patent. *ibid.* 12, 14.

After conſecration, &c. archbiſhops and biſhops may ſue and take reſtitution of their temporalties and ſhall be obeyed in their offices. *ibid.* 13.

Blaſphemy.

7 *W.* 3. *ſeſſ.* 1. *c.* 2. The taking away the writ *de hæretic comburend* ſhall not leſſen the power of biſhops, &c. in caſes of blaſphemy, &c. HERESY, 3, 4.

Bleachers.

19 *G.* 2. *c.* 6. Penalty on bleaching linen cloth with lime. LINEN MANUFACTURE, 47.

Servants of bleachers refuſing to give evidence of uſing lime, may be ſent to the houſe of correction. *ibid.* 48.

Such ſervants examined, not liable to penalties for bleaching with lime. *ibid.* 49.

Bleach-yards, &c. may be ſearched in the day for viewing boilers, lees, &c. and diſcovering lime. *ibid.* 50.

Penalty on bleachers not bleaching linen cloth, &c. in the time and manner agreed. *ibid.* 51.

When linen cloth, &c. may not be laid down, &c. in bleach-yards, &c. *ibid.* 52.

Penalty on keeping bleach-yard in Dublin, or within 5 miles without licence, and from whom, &c. *ibid.* 54.

Felony without clergy to ſteal, &c. flaxen, &c. cloth from bleach-yards, &c. *ibid.* 56.

Penalty on bleachers, &c. fraudulently ſelling, &c. linen, &c. cloth, *ibid.* 57.

23 *G.* 2. *c.* 6. Penalties on bleachers by 19 *G.* 2. *c.* 6. how recoverable. *ibid.* 80.

Offences by bleachers where and how determinable. *ibid.* 81.

Bona Notabilia. See Wills.

Boats.

33 *G.* 2. *c.* 10. Boats forfeited for running goods may be ſold, &c. and the money how to be applied. BOATS, 2.

What boats plying between Wexford and Londonderry, and where to be regiſtred. *ibid.* 3.

Penalty on maſters, &c. of boats not taking out and returning permits to the Iſle of Man unleſs on loſs proved by oath. *ibid.*

Permit for boats to fiſh for herrings not neceſſary to be returned during the herring ſeaſon. *ibid.* 4.

Penalty on officer refuſing or delaying permit for boats. *ibid.*

Boats.

Boats not regiſtered or ſailing to the Iſle of Man without ſuch permit forfeited. *ibid.* 5.

Regiſtered boats in what manner to be marked, and penalty on neglect and not keeping the mark legible. *ibid.*

Bogs.

12 *G.* 1. *c.* 10. Biſhops, &c. having 300 acres demeſne may demiſe bogs, &c. for 60 years, &c. LEASES, 22.

5 *G.* 2. *c.* 9. Poſſeſſors of lands adjoining to bogs, &c. may petition for aſcertaining the bounds, &c. MEARS, &c. 14.

Bonds.

23 *H.* 6. *c.* 10. *Eng.* No bonds ſhall be taken from perſons arreſted except for appearance. SHERIFFS, 20.

Such bonds to be made to the ſheriffs, &c. and the fee 4*d.* *ibid.*

7 *Will.* 3. *c.* 25. Bonds for appearance diſcharged by appearance of attorneys. ARRESTS, 3.

9 *Will.* 3. *c.* 35. Aſſignment of breach on bonds to perform covenants. SUITS, 10.

6 *Ann. c.* 10. Defendant bringing into court principal and intereſt due on bond ſhall be diſcharged. PLEADINGS, 34.

Sheriff, &c. taking bail on arreſts, &c. ſhall on requeſt aſſign the bail bond to plaintiff, who may bring action thereon in his own name. BAIL, 13.

8 *G.* 1. *c.* 6. Seneſchals, &c. granting replevin may take bonds for the goods, &c. in his own name, and aſſign them to the avowant, who, may bring actions on the bonds in his own name. REPLEVIN, 6.

3 *G.* 2. *c.* 4. Stealing bonds, felony. FELONY, &c. 55.

Forging bonds, felony with clergy, but by 17 *G.* 2. *c.* 11. without clergy. FORGERY, 14, 17.

24 *G.* 2. *c.* 23. *Eng.* Natural days for payment of money on bonds, &c. not altered by this act for correcting the calendar. CALENDAR, 6.

Boroughs. See Corporations.

Bottomry. See Inſurance.

Bottles. See Glaſs.

Brandy.

12 *C.* 2. *c.* 18. *Eng.* In what ſhips brandy muſt be imported. SHIPS, 11.

17 & 18 *C.* 2. *ſeſſ.* 5. *c.* 19. Penalty on retailing brandy without licence. BRANDY, &c. 2, 3.

33 *G.* 2. *c.* 10. Penalty on ſelling brandy, &c. by retail without licence. *ibid.* 6.

Seizures of brandy, &c. imported in veſſels under fifty gallons. *ibid.* 8.

Importing brandy, &c. from the *Iſle of Man*, forfeiture of ſhip and tackle, &c. *ibid.* 9.

Officers may enter ſhops, houſes, &c. of retailers, and take an account of brandy, &c. *ibid.* 10.

Permit for brandy, &c. in veſſels over four gallons. *ibid.* 12.

No drawback on exportation in veſſels under fifty gallons. *ibid.* 13.

Repay-

Brandy.

Repayment of two thirds of exciſe on ſpirits exported. *ibid.* 14.

1 *G.* 3. *c* 7. Officers may demand permits. *ibid.* 23.

5 *G.* 3. *c.* 5. Duty on imported ſpirits aſcertained. *ib.* 25.

5 *G.* 3. *c.* 1. Additional duty on foreign ſpirits. *ibid.* 26.

5 *G.* 3. *c.* 2. Further additional duty on ſpirits. *ibid.* 27.

5 *G.* 3. *c.* 16. Who are to be deemed retailers of ſpirits. *ibid.* 28.

Additional drawback on ſpirits exported. *ibid.* 29.

Proof of loſs at ſea. *ibid.* 30.

Brandy exported in ſhips under one hundred tons forfeited. *ibid.* 33.

3 *G.* 3. *c.* 39. *Brit.* Ships with brandy from the *Iſle of Man* found hovering. *ibid.* 36.

Brafiers.

9 *W.* 3. *ſeſſ.* 1. *c.* 32. Penalty on brafier, *&c.* ſelling braſs except in fairs, ſhops, *&c.* Brasiers, *&c.* 1.

Braſs, *&c.* made in Ireland found in the poſſeſſion of the maker not as good as it is required to be in London, ſhall be forfeited. *ibid.* 2, 3.

33 *G.* 2. *c.* 10. Making ſtills above 12, and under 200, gallons, forfeit 20 *l.* *ſect.* 82.

Bread.

51 *H.* 3. *Eng. ſtat.* 6. *of pillory.* Puniſhment for bakers not obſerving aſſiſe of bread. Victuals, 1.

Ordin. for bakers, c. 1. Eng. *incert. temp.* The aſſiſe of bread to be kept according to the ſale of wheat, *&c.* Bread. 1.

c. 2. *Eng.* Puniſhment of baker if his bread be a farthing weight deficient in 2 *s.* 6 *d.* and every baker ſhall have a mark for his bread. *ibid.* 2.

See Tit. Cork Bread.

Brewers.

51 *H.* 3. *ſtat.* 6. of the *pillory*, *Eng.* Brewers not obſerving the aſſiſe of ale to be amerced, *&c.* Victuals, 1.

23 *E.* 3. c. 6. *Eng.* Penalty on brewers, *&c.* not ſelling at reaſonable prices. *ibid.* 6.

Ordin. for bakers, inc. temp. c. 6. *Eng.* Puniſhment of brewers not obſerving the aſſiſe of ale. Beer and ale, 1.

14 & 15 *C.* 2. *c.* 8. Penalty on brewers not making weekly returns to the exciſe office of beer and ale brewed the foregoing week, and not paying the exciſe weekly. Customs, 124.

What allowance to be made to brewers for waſte and leakage. *ibid.* 126.

Penalty on ale-houſe keepers, *&c.* brewing their own beer and ale before they enter into bonds for payment of the exciſe, *&c.* *ibid.* 127.

Returns of gaugers to be a charge on the brewers for exciſe if they exceed the brewers returns. *ibid.* 128.

Penalty on brewers refuſing entrance to gaugers, *&c.* for taking account of beer and ale. *ibid.* 129.

Penalty on brewers concealing beer and ale from gaugers, *&c.* *ibid.*

Penalty on brewers uſing private veſſels for brewing without giving notice to gaugers, *&c.* *ibid.*

Brewers.

Penalty on brewers carrying out or retailing beer, *&c.* when forbidden, *&c.* *ibid.*

Ale-houſe keepers, *&c.* may compound for the exciſe of beer and ale brewed in their houſes. *ibid.* 130.

Penalty on ale-houſe keepers not brewing their own beer and ale, or not taking beer and ale from common brewers. *ibid.* 131.

33 *G.* 2. *c.* 10. Common, or retailing brewers, to make declaration to the officers, of the quantity of beer or ale he intends to make of the guile then on hand, before the guile is removed out of his tuns. Brewers, 1.

Refuſing to make declaration, gauger to charge the whole as ſtrong; and duty to be paid accordingly, and the brewer to forfeit for each Barrel 20 *s.* *ibid.*

If any increaſe made after declaration and gauge, the brewer to forfeit 5 *l.* for every barrel increaſed, and his ſervant 20 *s.* On default of payment, three months impriſonment. *ibid.* 2.

If increaſed, by adding or mixing a former brewing the brewer to incur the ſaid penalties, unleſs proved to have been mixed in view of the gauger. *ibid.*

Brewers, *&c.* to forfeit 5 *l.* if after gauge they mix their drink. *ibid.*

Gaugers impowered to taſte drink on drays; and, on requeſt, to enter into cellars of victuallers, *&c.* *ibid.* And if entrance be refuſed, victualler to forfeit 5 *l.* *ibid.* 3.

Backs or coolers to be ſcrewed down, and faſtened to beams. A frame, or ſtage of wood, to be erected for the gaugers to take the level. *ibid.*

Notice to be given, if any pipe be fixed to a cooler, 46. Ale and ſmall beer to be kept in ſeparate cellars. Penalty 20 *l.* for every offence. *ibid.* 4.

Common brewer to brand barrels with their names, *ib.* under penalty of forfeiting all beer, *&c.* tunned into caſk not branded. *ibid.* 5.

Penalty of 50 *l.* for having private or concealed cellars. *ibid.* 6.

Brewers, *&c.* to enter all their cellars, *&c.* with the exciſe-officer of the diſtrict. Cellars not entered, to be deemed private cellars. *ibid.* 7.

Clandeſtinely brewing in brew-houſes belonging to private perſons. *ibid.* 8.

Private perſons allowing brewers to brew in their houſes, forfeit 10 *l.* to be recovered by civil bill. Forfeitures to be divided. *ibid.*

Perſons letting out brew-houſe, *&c.* for hire, ſhall give Notice to the gauger, *ib.* under the penalty of 5 *l.*

Common brewers not to carry out drink in any town-corporate, before notice given to the officer, but between the hours of the Day therein mentioned. *ibid.* 10.

Brewers lighting a fire under a copper, *&c.* with intent to brew, *ib.* between ſix in the afternoon on Saturday, and four in the afternoon on Sunday; and diſtillers ſetting their ſtills at work, between the hours of ſix in the afternoon on Saturday, and four in the morning on Monday, to forfeit 5 *l.* for every time. *ibid.* 11.

Brewing veſſels, ſtills, *&c.* ſubject to all duties and forfeitures, into whoſe hands ſoever they come. *ibid.* 12.

1 *G.* 3. *c.* 7 None ſhall let to hire, or lend any private brew-houſe, unleſs an annual licence is obtained: for which licence the ſum of 50 *l.* ſhall be paid. *ibid.* 13.

Brewers.

And if let out to hire, or lent, without ſuch licence, the perſon letting to hire, or lending, and the perſon to whom let out or lent, each to forfeit 50 *l.* *ibid.* 14.

5 *G.* 3. *c.* 16. Malt liquors for ſale, not to be made, brewed, or diſtilled, until notice given in writing to collector of the diſtrict of the real Chriſtian and Sur-name of brewer or diſtiller, and the place where, *&c.* under the penalty of 50 *l.* *ibid.* 16.

Brewers not to keep or ſuffer fires to be under their coppers, *&c.* between ſix o'clock afternoon on Saturday, and ſix afternoon on Sunday. Penalty 50 *l.* in lieu of all former penalties. *ibid.* 17.

Brewers to furniſh officers with lights to ſearch and ſurvey their ſtock between ſun-ſet and ſun-riſe, under penalty of 5 *l.* *ibid.* 18.

Bribery.

18 *E.* 3. Stat. 4. *Eng. Sacramentum juſticiariorum.* It is part of the oath of juſtices that they ſhall take no bribes. JUSTICES OF BOTH BENCHES, &c. 3.

34 *E.* 3. *c.* 8. *Eng.* Jurors accuſed by either party of bribery to be tried immediately by a jury then preſent. JURIES, &c. 9.

12 *G.* 2. *c.* 21. *Brit.* Penalty on perſons offering or promiſing a bribe to cuſtom-houſe officers for conniving at the tranſportation or concealment of wool, *&c.* whether the offer, *&c.* be accepted or not. WOOL, &c. 98.

33 *G.* 2. *c.* 10. Penalty on perſons giving to cuſtom-houſe officers, and on the officers accepting bribes for permitting goods to be run, or conniving at falſe or ſhort entries. CUSTOMS, 283.

Bricks.

1 *G.* 2. *c.* 27. Carts, *&c.* hired for drawing bricks, *&c.* to be licenſed, and for every cart to be paid yearly 10 *s.* *&c.* and penalty on offenders. DUBLIN, 84.

3 *Geo.* 2. *c.* 14. When clay for bricks muſt be dug, turned and tempered. BRICKS, &c. 2.

In what manner, and when clay muſt be moulded into bricks, *&c.* *ibid.*

Bricks, when burnt for ſale, muſt be nine inches and a half long, four and a half broad, and two and a quarter thick. *ibid.* 3.

Of what conſiſtence the clay muſt be before it is moulded into bricks. *ibid.*

Within what time bricks for publick ſale muſt be burnt, &c. *ibid.*

Penalty on making bricks for ſale in any other manner, how recoverable, and to be applied, and liberty of appeal. *ibid.* 4, 5.

Penalty on carters, *&c.* delivering unuſual meaſure, *&c.* in bricks, *&c.* and the uſual meaſure is declared to be 125 bricks to the load. BUILDINGS, 1

Penalty on bricklayer, *&c.* laying timber, *&c.* ſo as to appear thro' the houſe, *&c.* or building or repairing from the foundation brick, *&c.* walls upon timber, *&c.* *ibid.* 2.

Bridges.

9 *H.* 3. *c,* 15. *Mag. Ch. Eng.* No town, *&c.* ſhall be diſtrained to make bridges, *&c.* but ſuch as have anciently made them. BRIDGES, 1.

Bridges.

5 *G.* 3. *c.* 14. Grand juries at the aſſiſes, and in *Dublin* in *Hillary* or *Trinity* term, may preſent money for bridges, *&c.* *ibid.* 2.

Two juſtices of peace may order money, not exceeding five pounds, for repairing bridges, *ibid* 3.

Bridges may be erected by owners of ferries, *ibid.* 5.

Buggery.

10 *Car.* 1. *ſeſſ.* 2. *c.* 20. Buggery with mankind or beaſt felony without clergy, loſs of goods and lands, and juſtices of peace to enquire thereof as of other felonies. FELONY, &c. 12.

Committed by any perſon in the fleet puniſhable with death by a court martial. SHIPS, 49. *Art.* 29.

Buildings.

3 *G.* 2. *c.* 14. Penalty on maſons, *&c.* building from the foundation any brick, *&c.* walls upon timber, ſo as to depend thereon, except timber neceſſary for ſecuring the foundation, *&c.* BUILDINGS, 2.

No timber in party-walls, *&c.* in city or town, ſo as to appear thro': nor laid within 4 inches of the outſide. *ibid.*

A car-load of bricks 125: of ſtones 500 weight: ſlack lime 64 gallons a hogſhead. Delivering falſe meaſure or account, penalty 20 *s.* *&c.* *ibid.* 1.

No wall to bear or depend on timber, unleſs neceſſary in foundations, or for ſhop-windows or doors. Penalty 5 *l.* *&c.* *ibid.*

5 *G.* 2. *c.* 10. Stealing lead, iron bars, *&c.* knockers, felony and tranſportation. FELONY, 59.

Burglars and Burglary.

13 *Ed.* 1. *c.* 1. *Eng. Winch.* Hue and cry ſhall be made in all counties after burglars, *&c.* ROBBERY, 2.

11, 12 and 13 *Jac.* 1. *c.* 3. Clergy taken away in burglary. CLERGY, 7.

7 *Will.* 3. *ſeſſ.* 1. *c.* 21. The county ſhall make ſatisfaction for burglaries, *&c.* by papiſts, to be applotted on papiſts, *&c.* ROBBERY, 20 to 28.

9 *Will.* 3. *ſeſſ.* 1. *c.* 32. Acceſſories in burglary, *&c.* ouſted of clergy. CLERGY, 11.

8 *Ann.* *c.* 8. Reward for taking and convicting burglars, *&c.* FELONY, &c. 20.

What ſum ſhall be paid to executors, *&c.* of watchmen, *&c.* killed in apprehending burglars, *&c.* *ib.* 21.

Reward to perſons diſcovering two or more concerned in burglary, *&c.* on conviction. *ibid.* 23.

Harbourers and concealers of burglars, *&c.* deemed acceſſories. *ibid.* 24.

Burials.

9 *Will.* 3. *ſeſſ.* 1. *c.* 26. Penalty on burying and on perſons preſent, *&c.* at burials in ſuppreſſed monaſteries, *&c.* BURIALS, 1, 2,

7 *Geo.* 2. *c.* 13. Penalty on burying corpſe in any ſtuff other than of ſheep or lambs wool only, *&c.* how recoverable, and when the ſuit for the penalty ſhall be commenced, *ibid.* 3, 4.

Burning coals. See Mines.

Burning corn.

13 *H.* 8 *c.* 1. Burning ricks of corn in fields or towns, *&c.* high treaſon. TREASON, 6.

10 & 11 *Car.* 1. *ſeſſ.* 4 *c.* 17. Puniſhment of perſons burning corn or grain in the ſtraw. CORN, 8.

Burning houſes.

12 *H.* 8. *c.* 1. Burning houſes high treaſon. TREASON, 6.

7 *W.* 3 *ſeſſ.* 1. *c.* 21. What perſons ſhall make ſatisfaction for all burnings of houſes or haggards, *&c.* ROBBERY, 20.

Accidental burning houſes, *vide* FIRE.

Burning in the hand. See Clergy.

Burning land.

1 *G.* 2 *c.* 10. Tenants ſhall not burn the ſod of lands, *&c.* without conſent of the leſſors. HUSBANDRY, 7.

17 *G.* 2. *c* 20. Penalty on leſſees, *&c.* burning the ſoil of land, *&c.* and how recoverable, and ſuits for the penalty when to be commenced. BURNING LAND, 1, 2, 3.

What perſons may ſue for the penalty, where the immediate leſſors of perſons ſo burning refuſe, *&c.* to ſue for the penalty. *ibid*, 4.

Where tenant *&c.* covenants, *&c.* not to burn the ſoil, *&c.* under penalty of an increaſe of rent, *&c.* leſſors, *&c.* how to ſue for the ſame. *ibid.* 5.

Penalty on perſons hindering, *&c.* thoſe intitled by this act, *&c.* to ſurvey land ſo burned. *ibid.* 6.

Parties aggrieved may appeal. *ibid.* 7.

1 *G.* 3. *c.* 17. Leſſees anſwerable for the acts of their under-tenants. *ibid.* 9.

Ridges or paths left unburned, intermixed with land burned to be ſurveyed. *ibid.* 13.

2 *G.* 3. *c.* 29. Two juſtices may determine offences in a ſummary way, *ibid.* 15.

Recovery of penalties by ſale and diſtreſs of goods. *ibid.* 17.

Backing warrants in other juriſdictions. *ibid.* 18.

Committal of offender for want of diſtreſs. *ibid.* 19.

Form for drawing up a conviction. *ibid.* 20.

Appeal to the ſeſſions and recognizance to be given. *ibid.* 21.

Coſts to the appellant on reverſal of the judgment. *ibid.* 23.

Neglects of leſſors or leſſees in proſecuting. *ibid.* 24.

5 *G.* 3. *c* 10. Warrant for penalties againſt either the leſſees or occupiers of land burned. *ibid.* 25.

Backing warrants in caſes where offenders remove out of the county. *ibid.* 26.

Remedy for leſſees againſt the occupiers of the land. *ibid.* 27.

Biſhops, &c. and corporate bodies to have like remedy againſt tenants as others are to have. *ibid.* 30.

Butchers.

51 *H.* 3. *Stat.* 6. *Eng.* Bailiffs, *&c.* ſhall inquire of butchers ſelling contagious fleſh. VICTUALS. 1.

Grain for Bakers, incert. temp. *c.* 7. *Eng.* Penalty on butchers ſelling meaſled ſwines fleſh, *&c.* BUTCHERS, 1.

Butchers.

23 *E.* 3. *c.* 6. *Eng.* Penalty on butchers not ſelling at reaſonable prices. VICTUALS, 6.

2 *Ann. ſeſſ.* 1. *c.* 15. No butcher ſhall be a grazier, and what quantity of lands he may keep for fattening cattle, *&c.* and penalty on offenders. BUTCHERS, 2.

Penalty on butchers in *Dublin*, &c. ſelling cattle to any other butcher, *&c. ibid.* 3.

Penalty on butchers keeping at hay, or feeding cattle, *&c.* above 10 days. *ibid.* 4.

Penalty on butchers, *&c.* ſelling cattle, *&c.* to perſons within 20 miles of the place where bought. *ibid* 5.

Penalty on butchers unneceſſarily gaſhing or cutting hides of oxen, *&c. ibid.* 6.

Anſwers to informations againſt butchers, *&c.* muſt be upon oath, and no plea, *&c.* to be allowed. BEEF, &c. 7.

Treble coſts to be allowed in vexatious ſuits againſt perſons for proceeding on this act againſt butchers, &c. *ibid.* 8.

9 *Ann.* *c.* 7. Penalty on butchers not leaving the cods and ſhifts on cattle ſlaughter'd for exportation. *ibid.* 9.

2 *G.* 1. *c.* 16. } Penalty on butchers, *&c.* killing bullocks
& 2 *Ann* *c.* 15. } for ſteers under 5 years old. *ib.* 1. 11.

15 *G.* 2 *c.* 9. Penalty on butchers in *Dublin*, or within five miles ſelling carcaſs or joints, *&c*, of beef, mutton, veal, lamb, or pork, to any other butcher to be ſold in the market, and when proſecutions ſhall be commenced. BUTCHERS, 12.

17 *G.* 2. *c.* 5. Penalty on butchers killing, *&c.* within markets or where they keep ſtalls. *ibid.* 8.

Penalty on butchers not ſlaughtering or fleaing cattle in the cleaneſt and plaineſt manner. *ibid.*

Penalty on butchers raiſing or blowing meat, or thruſting concealed ſkewers, or greaſing or varniſhing meat, or laying fat, tallow, *&c.* on the fleſh, or uſing any fraudulent art to ſet off the ſame. *ibid.*

Butter and Tallow.

2 *G.* 1. *c.* 16. The tare of butter how to be marked on caſks and penalty, *&c.* BUTTER, &c. 1, 2, 3.

Penalty on ſeller of butter for tare found falſe after ſtripping, and buyer refuſing the tare marked, if juſt. *ibid.* 7, 8.

Butter caſk to be made ſo as to hold pickle, and of what timber and how to be made, and penalty on offenders. *ibid.* 9

Penalty on mixing new with old butter, or uſing bay ſalt. *ibid.* 10.

Magiſtrates may ſeize all butter made contrary to this act. *ibid.* 11.

On ſtripping butter or tallow caſks, if the tare anſwers the brand the buyers ſhall pay the charge of ſtripping, otherwiſe the ſeller, *ibid.* 13.

Butter or tallow attempted to be exported not having the tare branded, *&c.* ſhall be forfeited. *ibid.* 14.

Puniſhment of officers of the revenue for permitting caſks of butter or tallow not branded to be ſhipped. *ibid.* 16.

4 *G.* 1. *c.* 12. Penalty on perſons buying or ſelling caſks of butter at greater or leſs tare, *&c.* than branded on the casks. *ibid.* 11.

Butter and Tallow.

Juſtices of peace may compel them to make oath whether the butter was bought at the tare branded, *&c.* and penalty on the refuſal of the parties. *ibid.* 12.

When butter ſeized may be diſpoſed of by juſtices of the peace. *ibid.* 13.

Magiſtrates may ſeize all butter casks expoſed to ſale or intended for tranſportation contrary to this act, and 2 *G.* 1. *c.* 16. *ibid.* 14.

10 *G.* 1. *c.* 9. Where and by whom weigh-maſters may be appointed for weighing and branding butter and tallow caſks, their office, oath, duty, and penalty on their miſbehaviour, and their fees, and penalty on counterfeiting their brand. *ibid.* 16. to 20.

No empty caſks to be ſold or bought for packing butter, unleſs made of ſeaſoned oak, *&c.* and to be weighed and branded by the weigh-maſter, and what allowance for ſoakage. *ibid.* 22.

No caſk which may contain half hundred of net butter ſhall be branded by the weigh maſter, unleſs it weighs ten pounds, *&c.* and penalty. *ibid.* 25.

Caſks of butter and tallow muſt be brought to the public weigh-houſe, and if unmerchantable, how the weigh-maſters and juſtices of peace may proceed, *&c.* to adjudge the butter or tallow forfeited. *ibid.* 26.

Butter or tallow in caſks not branded, *&c.* laid on any wharf, *&c.* for exportation forfeited. *ibid.* 30.

12 *G.* 1. *c.* 5. Butter or tallow made up in caſks not weighed and branded, ſhall be forfeited. *ibid.* 31.

Penalty on not bringing butter or tallow caſks uſed and emptied to be branded anew. *ibid.* 32.

Proceedings by magiſtrates, *&c.* on complaint of unmerchantable butter or tallow. *ibid.* 33.

Of what wood butter caſks ſhall be made. *ibid.* 34.

What ſhall be the contents of empty caſks to be ſold for packing butter, and weigh maſter to brand the tare and allowance for ſoakage. *ibid.* 35.

Penalty on coopers not marking their names on butter caſks. *ibid.* 36.

Penalty on weigh-maſters or coopers employed in weigh-houſes contracting for butter or tallow at the weigh-houſes. *ibid.* 37, 38.

No replevin lies for caſks of butter or tallow ſeized, *&c.* *ibid.* 39.

Perſons ſued for executing this act, on verdict for them, *&c.* intitled to treble coſts. *ibid.* 40.

No perſon keeping a public houſe ſhall be a weigh-maſter, or deputy maſter for weighing butter or tallow. *ibid.* 43.

21 *G.* 2. *c.* 7. Penalty on counterfeiting the brand of weigh-maſters for butter and tallow caſks. *ibid.* 47.

Forfeiture on marking butter and tallow caſks with a counterfeit brand. *ibid.*

Caſks of butter not brought to the weigh-houſe of *Cork* to be weighed and branded, forfeited. *ibid.* 48.

Search may be made in ſuſpected places for ſuch butter caſks. *ibid.* 49.

Penalty on buyers, *&c.* of caſks containing more than 200 weight of net butter. *ibid.* 50.

Weigh-maſters may uſe ſuch brands for butter caſks as they think leaſt liable to be counterfeited. *ibid.* 52.

No replevin lies for caſks of butter or tallow, *&c.* ſeized, *&c.* judgment of mayor of *Cork*, final. *ibid.* 53.

Butter and Tallow.

Perſons ſued for executing this act, on verdict for them, *&c.* ſhall have treble coſts. *ibid.* 54.

Penalties by this act, how recoverable and to be applied. *ibid.* 55.

Buying and Selling of Titles.

See Champerty.

By laws.

17 *G.* 2. *c.* 8. By-laws by aſſemblies not incorporated relating to journeymen, *&c.* illegal. MANUFACTURES. 21.

Calendar.

24 *G.* 2. *c.* 23. *Brit.* Old ſupputation of the year not to be uſed after 31 *Dec.* 1751. CALENDAR, 1.

Each future year to commence on the 1ſt day of January. *ibid.*

The days and moveable feaſts to be numbered and aſcertained by the old ſtile till the 2d September 1752. *ibid.*

The day following 2d Sept. 1752, to be accounted the 14th of Sept. omitting the intermediate nominal days. *ibid.*

After 1ſt Jan. 1752, all writings to be dated according to the new ſtile. *ibid.*

Hillary and Michaelmas terms, and all courts to be held on the ſame nominal days and times as they now are after the ſaid 2d Sept. 1752, *ibid.*

Courts held with fairs or markets excepted. *ibid.*

Hundredth years except every fourth hundred to be deemed common years of 365 days. *ibid.* 2.

What years to be accounted biſſextile or leap years conſiſting of 366 days. *ibid.*

Eaſter and other moveable feaſts after the ſaid 2d of Sept. not to be obſerved according to the table now prefixed to the common prayer book. *ibid.* 3.

The ſaid table and column of the golden number to be left out in all future editions of the common prayer book, and new calendar table and rules to be prefixed. *ibid.*

Feaſt and faſts, &c. to be obſerved according to the new calendar after the ſaid 2d Sept. 1752. *ibid.*

Markets, fairs, and marts to be held on the ſame natural days as they would have been holden on before this act. *ibid.* 4.

Natural days and times for opening and cloſing commons of paſture not altered by this act. *ibid.* 5.

No alteration of natural days and times of payment of rents, annuities, ſums of money or intereſt, nor of delivery of goods. *ibid.* 6.

Nor of commencement or expiration of leaſes, &c. *ibid.*

Nor of attaining the age of 21 years. *ibid.*

Nor of the expiration of any apprenticeſhip or other ſervice by indenture or articles, &c. *ibid.*

Calendar.

25 G. 2. c. 30. *Brit.* Election of officers and other corporate acts to be on the natural days of the year, 1752. *ibid.* 7.

After 2d Sept. 1752, times for opening and inclosing grounds for common of pasture, payment of rent, &c. if they depend on any moveable feast, are to take place according to the new calendar. *ibid.* 8.

The title to said lands not altered by this act. *ibid.* 9.

Callicoes.

5 G. 1. c. 11. *Brit.* Callicoes, &c. of the manufacture of China, &c. imported to Ireland from any other place than Great Britain, forfeited. Customs, 167.

Cambricks and Lawns.

16 G. 2. c. 25. *Brit.* What bounty shall be paid out of additional duty on cambricks for every yard of British or Irish linens of 6d. and under, and not exceeding 1s. *per* yard. Linen manufacture, 9.

5 G. 3. c. 1. Additional duties on cambricks of 6 d. and on cambricks and lawns of 3 d. and of 1 d. *per* yard, not of manufacture of Great Britain to be imported to 25th December 1753. Customs, 407.

Additional duty of 1d. *per* yard on cambricks, &c. to be paid to use of governors, &c. for carrying on cambrick manufacture in Ireland. Linen manufacture, 87.

Capias ad Satisfaciendum.

7 W. 3. *sess.* 1. c. 25. Want of fifteen days between the *teste* and return of writ of *capias ad satisfaciendum* in personal actions shall not be error. Process, 11.

This act not to extend to *capias ad satisfaciendum* where exigent is to be awarded, nor where bail is liable. *ibid.* 12.

Capias utlagatum.

7 W. 3. *sess.* 1. c. 25. None to be arrested on any process (except *capias utlagatum*, &c.) not expressing the cause of action. Arrests, 4.

Sheriffs shall not discharge persons taken by *capias utlagatum* without a *superfedeas*. *ibid.*

4 A. c. 15. Penalty on clerk issuing *capias utlagatum* without affidavit by two witnesses filed that proclamations were made on the *exigent* pursuant to 11 *J.* 1. c. 8. Outlawry, 9.

Cards and Dice.

5 G. 2. c. 3. What duty on cards and dice made in or imported into Ireland, and how to be levied. Cards and Dice, 1, 2.

Penalty on making cards and dice except in Dublin or Cork. *ibid.* 3.

Penalty on making cards and dice before notice given to the collectors of the place where they are intended to be made. *ibid.* 4.

Cards and Dice.

Penalty on not permitting officers to enter houses in the day time to take an account of cards and dice. *ibid.*

Penalty on removing materials for making cards or dice before the duties are paid. *ibid.*

Penalty on makers of cards or dice, not entering with collectors on oath, and when, all cards made, and within what time, and on not paying the duty. *ibid.* 5.

Penalty on endeavouring to defraud of duties, by concealment or undue entry of cards or dice. *ibid.* 6.

Commissioners of revenue to direct the stamp or seal for dice, and paper and thread for inclosing cards, and the mark on the painted side, *&c.* and officers for marking, *&c.* and a salary allowed to the officers of 20 *l.* *ibid.*

Collectors, *&c.* to give a certificate of the number of cards and dice entered. *ibid.* 8.

Stamp officer on such certificate to stamp and mark the cards and dice, and enter the certificate in a book, and mark under the certificate the number of the packs of cards and pairs of dice stamped. *ibid.*

Penalty on stamp officers refusing to stamp cards and dice, and days of attendance. *ibid.* 9.

Penalty on persons selling or playing with cards or dice not stamped. *ibid.* 10.

Counterfeiting stamp for dice or thread or paper inclosing cards, or uttering cards with counterfeit stamp, or fraudulently using the stamp or mark directed by this act, with intent to defraud of the duties, felony without clergy. *ibid.* 11.

Penalty on refusing custom-house officer entrance into any gaming house, *&c.* in the day time to take an account of cards or dice. *ibid.* 12.

On what conditions cards or dice may be removed for exportation without stamping. *ibid.* 13.

Masters of ships to make oath that the cards or dice for exportation are not intended to be relanded. *ibid.*

In what manner the duties shall be collected and the forfeitures and penalties determined. *ibid.* 14, 15.

Duties on cards and dice, and the King's moiety of forfeitures and penalties granted to the corporation for inland-navigation. Inland-navigation, 26.

7 G. 2. c. 12. What days are appointed for stamping cards and dice, and power to commissioners to grant additional salary to the stamp-master in Dublin, not exceeding 20 *l.* *per ann.* Cards, &c. 16.

23 G. 2. c. 5. Duties on cards and dice continued for 21 years from 25th March 1751. *ibid.* 17.

Duties on cards and dice how to be levied and applied. *ibid.* 18.

Penalties relating to cards and dice how to be recovered and applied. *ibid.* 19.

25 G. 2. c. 10. Penalty on fraudulently taking off any stamps for cards, or filing, squaring, or new spotting any dice sold, or inclosing packs of cards in any paper stamped, *&c.* or selling, *&c.* cards before played with, or not stamped on painted side, *&c.* *ibid.* 20.

Penalties how to be recovered. *ibid.*

Appeal lies from justices to quarter-sessions. *ib.* 21.

Who may appoint persons to search where cards or dice are made, *&c.* *ibid.* 22.

Forfeiture on refusing entrance to persons so appointed. *ibid.*

Cards and Dice.

Perſons appointed to ſtamp cards in Dublin, &c. to lay an account of packs of cards and pairs of dice ſtamped, &c. for ſuch times as ſhall be required by corporation for promoting inland navigation. *ibid* 23.

Collectors of Dublin, &c. to lay before corporation account of all monies received for duties on cards and dice. *ibid.*

How duties on cards and dice by 3 and 23 *G.* 2. are to be returned by collectors of revenue. *ibid.* 24.

Examinators of cuſtoms, &c. muſt ſeparately certifie to the accomptant-general the duties under their examination. *ibid.*

Careening Ships.

10 *G.* 1. *c.* 3. Penalty on careening ſhips, &c. on the Liffy, between Bloody-Bridge and the Ferry-ſlip, and from thence to Doneybrook. DUBLIN, 151.

Carriage.

82 *H.*8. *c.* 22. Penalty on perſons undertaking the carriage of goods, &c. if they take or wilfully deſtroy them, and what fees they ſhall receive for the carriage, &c. CARRIAGE, 1, 2.

Cars, &c.

4 *G.* 1. *c.* 11. Forfeitures on drivers riding on their cars in the ſtreets, unleſs guided by a perſon on foot, Ring's-end cars excepted. DUBLIN, 280.

1 *G.* 2 *c.* 27. Cars, &c. to be numbered and licenſed, and pay a rent. *ibid.* 78.

Rents of brewers and other cars, and governors, &c. may diſtrain for the rents. *ibid.*

Cars hired for drawing bricks, &c. into Dublin, to be licenſed and pay rent. *ibid.* 280.]

5 *G.* 2. *c.* 14. Ring's-end cars to pay 30*s.* licence and 10*s.* rent and be numbered. *ibid.* 92.

Penalty on want of number, and to be regulated as coaches, &c. *ibid.* 93.

Governors, &c. to aſcertain the fare of Ring's-end cars in and within 7 miles of Dublin. *ibid.* 94.

Who may levy rent of cars in the county of Dublin. *ibid.* 95.

29 *G.* 2. *c* 13. Wheels of carts drawn by more than one horſe, &c. to be ſeven inches wide when worn. CARS, &c. 1.

This not to extend to country carts more than ſeven miles from Dublin. *ibid.*

Forfeiture of all the horſes, except the ſhaft-horſe. *ibid.*

Juſtices to deliver the forfeitures to the ſeizer. *ib.* 2.

Obſtructing ſeizure or reſcuing diſtreſs. *ibid.* 3.

Method of recovering penalties. *ibid.* 4.

Exception for carts travelling to or from places diſtant from Dublin. *ibid.* 5.

5 *G.* 3. *c.* 14. Wheels of cars to be three inches broad when worn. *ibid.* 8.

The ſtreaks not faſtened on with ſpriggs or high-headed nails, the penalty. *ibid.*

Method of recovering penalties *ibid.* 9, 10.

Cars, &c.

Obſtructing ſeizures or reſcuing them, the penalty. *ibid.* 11.

Double tolls to be received at fairs, &c. upon goods carried on cars with narrow wheels. *ibid.* 13.

Penalty on collectors of tolls, &c. not obliging the drivers to pay double. *ibid.* 14.

Collectors at turnpikes to receive thirteen pence at every gate for cars, &c. with narrow wheels. *ibid.* 15.

Six pence only for waggons with broad wheels, &c. at turnpike gates. *ibid.* 16.

Cathedral Churches.

21 *G.* 2. *c.* 8. How the ſcites of cathedral churches may be removed and made cathedral and parochial churches, and how to be repaired and incloſed, juriſdiction of the officers to be as before the removal. CHURCHES, 24, &c.

Fund of the ancient cathedral church how to be applied, and ſaving for parochial rights, rights of deans, &c. *ibid.*

Conſent of chief governors to removal of cathedral churches, as effectual as conſent of the crown by letters patent, and ſuch conſent to be inrolled in 6 months for 3 *s.* 4 *d.* *ibid.* 31.

Cattle.

18 *C.* 2. *c.* 2. *Eng.*
20 *C.* 2. *c.* 7. *Eng.*
32 *C.* 2. *c.* 2. *Eng.*
} Penalty on exporting cattle, &c. from Ireland into England, except for ſhips proviſions, and conſtables or other perſons may ſeize them, &c. CATTLE, 1 to 15.

7 *W.* 3. *c.* 21. In what manner county ſhall make ſatisfaction for killing or maiming cattle. ROBBERY, 20.

4 *Ann. c.* 8. Where toll ſhall be demanded or not for cattle driven to markets or fairs. TOLLS, 2.

9 *Ann. c.* 11. Baronies of Muckillin, &c. in the county of Galway ſhall make ſatisfaction for cattle maimed, &c. there. CATTLE, 19.

Maiming or deſtroying cattle, felony, and by 2 *G.* 1. c. 22. without clergy, and grand-juries may raiſe 10 *l.* for diſcovering offenders. *ibid.* 20, 21, 22.

10 *G.* 1. *c.* 10. When markets for ſelling cattle ſhall be opened, and penalty on buying cattle coming to market within 6 miles of the market. *ibid.* 23.

Saleſmen of cattle in Dublin, before whom and for what purpoſes to give ſecurity, and how to account with their principals, but perſons ſelling their own cattle not to give ſecurity. *ibid.* 23, 24, 25.

Penalty on ſaleſmen endeavouring to prevent owners or their ſervants from ſelling cattle in the markets. *ib.* 26.

Perſons driving cattle to ſlaughter before or after ſale, changing them for worſe, deemed cheats, and to pay treble damages. *ibid.* 27.

Seller may diſpoſe of cattle left on his hands 5 days after the time limited for taking away the cattle, and have damages. *ibid.* 28.

17 *G.* 2. *c.* 5. Killing or cutting open cattle with intent to ſteal the whole, or the fat, or any part, felony without clergy. Reward to diſcoverers, &c. *ibid.* 29, 30, 31.

23 *G.* 2. *c.* 15. Bond for what ſum, on what conditions, and before whom to be given by ſaleſmen of cattle, &c. in Smithfield, and where to be lodged, and for what purpoſe. *ibid.* 32.

Cattle.

Penalty on saleſmen ſelling any cattle before they enter into ſuch bond, and how recoverable and to be applied, and affidavit to be made that the ſuit is not in truſt for another. *ibid.* 33.

On proof of fraud in not ſelling cattle, &c. at the beſt prices saleſmen to be proſecuted, and where, as common cheats, and saleſmen to give ſecurity to abide their trials or be committed, and this act not to extend to owners of cattle. *ibid.* 34, 35.

Bond on saleſmen withdrawing, &c. to be put in ſuit for loſſes of owners, and owner may ſue as aſſignee of the bonds. *ibid.* 36.

Bond to be lodged with officer of court for this purpoſe. *ibid.*

Notes required by saleſmen of cattle by 10 *G.* 1. *c.* 10. evidence of the ſums for which the cattle were ſold, and and removal or death of lord mayor no abatement of the ſuit. *ibid.*

Cellars.

17 *G.* 2. *c.* 6. Stealing goods to the value of 5 *s.* by night out of cellars, &c. felony without clergy. Felony, &c. 64.

Certificate.

9 *H.* 6. *c.* 11. *Eng.* When writ ſhall iſſue to the ordinary to certifie baſtardy. Bastardy.

4 *H.* 7. *c.* 13. *Eng.* Clerk in orders praying clergy ſhall ſhew his orders or the ordinary's certificate. Clergy, 5.

10 *C.* 1. *ſeſſ* 2. *c.* 19. Certificate of clerk of the crown of conviction of principal in one county for murder or felony ſhall authorize trial of acceſſory in another county. Trial, 8.

9 *W.* 3. *c.* 28. Certificate required that proteſtant women heirs apparent, &c. are married to proteſtants. Marriages, 6, 7.

9 *W.* 3. *c.* 22. Clerk of the crown, &c. when to certifie allowance of clergy. Clergy, 17.

2 *Ann. c.* 6. Certificates of converts to be inrolled in chancery, and the inrolments to be kept diſtinct, and remain in ſome public place of the court, and fee for inrolling. Papists, 44.

Heir at law of papiſt being a proteſtant at the death of ſuch papiſt, tho' his certificate be not inrolled, &c. ſhall have the whole real eſtate, ſubject to debts and portions. *ibid.* 52.

Certificates of receiving the ſacrament to be delivered and proved before any officer takes the oaths. Oaths, 16.

6 *Ann. c.* 3. No convert above 18 to be deemed a convert unleſs he receive the ſacrament in ſix months after filing the certificate. Papists, 81.

If under 18 he muſt receive the ſacrament in ſix months after he arrives to 18, and file a certificate of taking the oaths, &c. *ibid.*

9 *Ann. c.* 6. Clerk of the crown muſt certifie a tranſcript of the convictions for felony, &c. and of allowance of clergy, and the certificate ſhall be evidence to ouſt of clergy on ſubſequent convictions. *ibid.* 22.

8 *G.* 1. *c.* 6. Prothonotaries, &c. to give certificates of judgments, &c. and liable to damages on fraud or neglect. Judgments, 5.

Certificate.

c. 15. Regiſter of deeds, &c. to give a negative certificate, &c. Register, 26.

Certificates from mortgagees to the regiſter of payment of the money due on mortgages, &c. to be entered againſt the regiſtry of the memorial. *ibid.* 27.

11 *G.* 2. *c.* 6 Certificates on judicial proceedings to be in Engliſh, and not to be wrote in the court hand, except foreign certificates and of the court of admiralty, which may be in Latin. Pleadings, 36, 39.

Certiorari.

10 *C.* 1, *ſeſſ.* 2. *c.* 18. In what manner *habeas corpus* or *certiorari* may be granted. Bail, 8.

10 & 11 *C.* 1. *c.* 10. *Certiorari* for removing indictments for riots and treſpaſſes. Certiorari, 1.

9 *W.* 3. *ſeſſ.* 1. *c.* 34. Preſentment for robbery-money not to be removed by *certiorari.* Robbery, 32.

c. 38. *Certiorari* when to be delivered. Corpus cum causa, 2.

8 *Ann. c.* 5. No *certiorari* to remove indictment from aſſiſes, &c. at proſecution of defendant to be granted in term, but on motion of council on affidavit. Certiorari, 2.

To find bail to plead, and at defendant's charge, to procure the iſſue to be tried the next aſſiſes. *ibid* 1.

On default juſtices of aſſiſe or ſeſſions may proceed. *ibid.*

Court may award taxed coſts to proſecutor on conviction of the defendant. *ibid.* 3.

In vacation it may be granted, the party indicted finding ſuch bail before allowance. *ibid.* 4.

Indictments relating to highways, if title to repair come in queſtion, may be removed by *certiorari* giving bail. *ibid.* 5.

Ceſſavit.

6 *Ed.* 1. *c.* 4. *Eng. Glouc.* Leſſor ſhall have *ceſſavit*, and recover the lands againſt fee-farmer that owes two years rent. Cessavit, 1.

13 *Ed.* 1. *c.* 21. *Eng. Weſt.* 2. Lord may have *ceſſavit* againſt his free-hold tenant owing two years rent. *ibid.* 2.

Is maintainable by heir of demandant againſt heir or aſſignee of tenant. *ibid.* 3.

Ceſtui que Uſe. See Uſes, Life-Eſtates.

Challenge of Jurors.

33 *H.* 8. *ſeſſ.* 1. *c.* 4. Conſanguinity, &c. not within the fifth degree between juror, &c. ſhall be no principal challenge. *ibid.* &c. 18.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 9. No more than 20 jurors allowed in any peremptory challenge in treaſon, &c. or felony. Felony, &c. 16.

Juſtices trying priſoners challenging above that number may proceed. *ibid.*

11, 12 & 13 *Jac.* 1. *c.* 3.
9 *Will.* 3 *ſeſſ.* 1. *c.* 32.
6 *Ann. c.* 16.
17 *Geo.* 2. *c.* 6.

} What offenders challenging peremptorily above 20 ſhall receive judgment, &c. Clergy, 7, 11. Felony, &c. 64. Women, 11.

Challenge of Jurors.

6 *Ann. c.* 6. On trial of papiſt on breach of any ſtatutes, *&c.* againſt papiſts, papiſt on the jury may be challenged. JURIES, *&c.* 29.

9 *G.* 2. *c.* 3. Challenges to jurors for want of freehold, *&c.* and ſheriffs to annex the panels to writs, *&c.* that parties may have notice for challenging, and jurors how to be drawn after challenges, and challenge to papiſts lies as before this act. JURIES, &c. 31, 37, 41, 45.

11 *G.* 2. *c.* 7. Papiſts may be challenged principally from being jurors on trials for inliſting into foreign ſervice. FOREIGN SERVICE, 8.

29 *G.* 2. *c.* 6. Perſons returned on a jury who have had the view may be challenged for juſt cauſe. JURIES, &c. 36.

Champerty, See Maintenance.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 11. Where informations for champerty may be brought. ACTIONS POPULAR, 7.

Chancery and Chancellor.

28 *Ed.* 1 *c.* 5. *Art. ſup. chart. Eng.* Chancellor and juſtices of his bench ſhall follow the King. JUSTICES OF BOTH BENCHES, 2.

18 *E.* 3. *ſtat.* 5. *Eng.* Oath of clerks of the chancery. CHANCERY, 1.

36 *E.* 3. *c.* 9. *Eng.* Perſons aggrieved by any ſtatute ſhall have remedy in chancery. *ibid.* 2.

17 *R.* 2. *c.* 6. *Eng.* Chancellor may award damages on writs out of chancery founded on falſe ſuggeſtions. *ibid.* 3.

15 *H.* 6. *c.* 4. *Eng.* What ſecurity to be given on granting writs of *ſubpœna* out of chancery. *ibid* 4.

14 & 15 *C.* 2. *ſeſſ.* 4. *c.* 21. What fees to lord chancellor for every patent paſſing the ſeal. *ibid.* 5.

6 *Ann. c.* 10. No *ſubpœna* ſhall iſſue out of courts of equity till after the bill is filed, and on certificate of filing the bill, except on bills for injunctions to quiet poſſeſſions, ſtay waſtes or ſuits at law commenced. *ibid.* 6.

5 *G.* 2. *c.* 8. On affidavit that defendant is truſtee only and could not be found, court may decree as if duly ſerved, *&c.* *ibid.* 7, 8.

7 *G.* 2. *c.* 5. Oath of maſters, ſix-clerks, *&c.* at admiſſion. ATTORNIES, &c. 23.

Six-Clerk, *&c.* having popiſh wife, or children, diſabled, unleſs converſion in a year. *ibid.* 31.

7 *G.* 2. *c.* 14. Where defendant ſerved with *ſubpœna* ſtands out to ſequeſtration court may proceed as if defendant had appeared. CHANCERY, 9.

Infants, *&c.* have two years from ſervice of decree after diſability removed to make their defence. *ibid.*

13 *G.* 2. *c.* 9. What proceedings ſhall be had in courts of equity in ſuits for perpetuating teſtimony. *ibid.* 11, 12.

25 *G.* 2. *c.* 14. On death or removal of ſix-clerk, ſucceſſor in 8 running days after ſervice of *ſuppœna* to elect ſhall ſtand in the place till another employed. *ibid.* 13.

Chapels, See Churches.

Charitable Uſes.

10 *C.* 1. *ſeſſ.* 3. *c.* 1. By whom truſts for charitable uſes may be compelled to be executed. CHARITABLE USES, 1.

12 *G.* 1. *c.* 10. Biſhops, *&c.* erecting alms-houſes may convey one acre to the uſe of the houſes. *ibid.* 2.

5 *G.* 3. *c.* 16. Truſtees for charitable foundations may reſign their place as truſtees. *ibid.* 3.

Upon ſuch reſignation a new truſtee may be elected. *ibid.*

3 *G.* 3. *c.* 18. Returns of charitable bequeſts to be made to the biſhop of every dioceſe at the viſitation. *ibid.* 14.

Copies upon oath of returns to be lodged at the beginning of every ſeſſion of parliament, to be lodged with the clerk of each houſe. *ibid.*

Charitable bequeſts to be publiſhed within 3 months after probate obtained in the Dublin Gazette. *ibid.* 5.

Chirographer.

2 *H.* 4. *c.* 8. *Eng.* Penalty on chirographer taking above 4*s.* for a fine. CHIROGRAPHER.

10 *C.* 1 *ſeſſ.* 2. *c.* 10. Chirographer to make a table for every county of contents of every fine, and when and where to be fixed. FINES, 21.

Penalty on chirographer not delivering a content of the table, and to whom. *ibid.*

Penalty on ſheriff not fixing up the table in the county court houſe and when, and fee to chirographer for the table. *ibid.*

Churches and Chapels.

9 *H.* 3. *c.* 5 *Mag. Chart. Eng.* Cuſtody of vacant churches pertaining to the King, *&c.* BISHOPS, 1.

35 *E.* 1. Stat. 2. *Ne rect. proſt. arb. in cæmet. Eng.* Trees growing in the church-yard ſhall be reckoned among the goods of the church. CHURCHES, 2.

The parſons ſhall not ſell them except for repair of the chancel or body of the church. *ibid.* 3.

9 *E.* 2. *c.* 9. *Art. cler. Eng.* Diſtreſs not to be taken in the ancient fee of the church, but may be taken in the fee of churches newly purchaſed by the parſon. DISTRESS, 11.

1 *E.* 3. Stat. 2. *c.* 30 *Eng.* King ſhall not deſire of biſhops churches, *&c.* for his clerks, except where due. BISHOPS, 5.

2 *G.* 1. *c.* 14. Chief governor, *&c.* may, by conſent, direct new churches to be built in more convenient places, the expence how to be aſſeſſed, and the chancel by whom to be repaired, and the removal not to alter the patronage. *ibid.* 4, 5.

All future acts for erecting churches ſhall be public acts, and no fees be taken for paſſing them. *ibid.* 6.

6 *G.* 1. *c.* 13. } In what caſes biſhop may build a chapel of
1 *G.* 2. *c.* 22. } eaſe in Dublin and in the country, the curates how to be paid, and the chapels how to be repaired. *ibid.* 7, 8, 14, *&c.*

10 *G.* 1. *c.* 6. What conſent of pariſhioners ſhall be ſufficient to chief governors for ordering new churches to be built in more convenient places. *ibid.* 7, 8.

12 *G.* 1. *c.* 9. Papiſts are made incapable of voting in veſtries for rebuilding or repairing churches. *ibid.* 14.

Money aſſeſſed for repair of churches how to be levied; and appeal lies to the ſeſſions from the aſſeſſments, *ibid.* 15.

Churches and Chapels.

1 *G.* 2. *c.* 19. The conſent of the chief governor inrolled, where the King is patron, ſhall be as ſufficient as the King's, for building new churches purſuant to 2 *G.* 1. *c.* 14. CHURCHES. 15.

3 *G.* 2. *c.* 11. In what manner churches or chapels in united pariſhes ſhall be repaired. *ibid.* 16, 17,

Directions for applotting ceſſes for repairs of churches or chapels, veſtries how to be held, and church-wardens by whom to be ſued. vide *Church-wardens*. *ibid.* 18, 19.

Churches united by the charter of the crown to be repaired in the ſame manner. *ibid.*

19 *G.* 2. *c.* 16. What perſons may convey lands, and to whom for building churches, *&c.* purſuant to 2 *G.* 1. *c.* 14 & 10 *G.* 1. *c.* 6. *ibid.* 22.

21 G. 2. *c.* 8. For making cathedral churches parochial and cathedral, *vide* cathedral churches. *ibid.* 24, *&c.*

Church wardens.

23 *H.* 8. *c.* 10. *Eng.* Where uſes to church-wardens. *&c.* ſhall be void. MORTMAIN, 8.

10 *C.* 1. *ſeſſ.* 2. *c.* 16. Plea by churchwardens in treſpaſs, *&c.* for things done *virtute officii*. PLEADINGS, 19.

17 & 18 *C.* 2. *ſeſſ.* 5. *c.* 7. Church-wardens may diſtrain for money applotted on commiſſion of valuation and penalty on neglect. TITHES, 31, 32.

7 *W.* 3. *c.* 17. Church-wardens may apprehend perſons in taverns, *&c.* during divine ſervice on Sundays. HOLYDAYS, *&c.* 22.

1 *A.* Stat. 2 *c.* 17. *Eng.* This act for qualifying by taking the oaths, *&c.* not to extend to church-wardens, *&c.* OATHS, 15.

4 *G.* 1. *c.* 12. Miniſter, church-wardens, *&c.* in Dublin ſhall appoint perſons to take care of pavements before churches and church-yards. DUBLIN, 194.

6 *G.* 1. *c.* 5. Diſſenters choſen church-wardens, &c. may appoint deputys. NON-CONFORMISTS, 4.

Biſhop may diſapprove the ſame perſon for being deputy church-warden the ſecond year. *ibid.* 5.

Diſſenting miniſter, taking the oaths, *&c.* exempted from being church-wardens, *&c.* *ibid.* 9.

3 *G.* 2. *c.* 11. Two church-wardens choſen for united pariſhes ſhall have like power as thoſe in reſpective pariſhes. CHURCHES, 11.

Church-wardens may be ſued by their ſucceſſors for money applotted for repair of churches, and what ſhall be evidence to charge them in account. *ibid.* 49, 50.

What allowances ſhall be made to church-wardens on their accounts for repairs, and they may appeal to the ſeſſions, who may award 40 *s.* coſts on determination againſt them, and how to be levied. *ibid.* 51.

9 *G.* 2. *c.* 12. Church-wardens how to be elected and appointed in united pariſhes. UNION OF CHURCHES, 40.

Church yard.

13 *E.* 1. *c.* 2. *Eng. Winch.* Fairs, *&c.* not to be kept in church-yards. CHURCHES, 1.

35 *E.* 1. *Eng. ne Rector proſternet, &c.* Parſons not to cut down trees growing in church-yards unleſs for repair of churches, *&c.* *ibid.* 2.

Church-yard.

15 *R.* 2. *c.* 5. *Eng.* It is mortmain if lands be employed to a church-yard. MORTMAIN, 7.

10 *C.* 1. *ſeſſ.* 3. *c.* 12. Proclamation of ſummons in real actions when to be made in church-yards. PROCESS, 10.

19 *G.* 2. *c.* 21. Directions for new churches and church-yards. CHURCHES, 55.

21 *G.* 2. *c.* 8. What rights ſaved as to church-yards of cathedral churches made cathedral and parochial. *ibid.* 57.

Citations.

6 *G.* 1. *c.* 6. Citations for what crimes, and when to iſſue *ex mero officio*. CITATIONS, 1, 2, 3.

Voluntary promoter, *&c.* applying for citation ſhall be examined on oath, and for what purpoſe. *ibid.* 2, 4.

Perſons making preſentments to eccleſiaſtical judges ſhall before preſentment or citation thereon be examined on oath, and for what purpoſe. *ibid.* 3, 4.

Civil Bills.

2 *G.* 1. *c.* 11. Judges of aſſiſe may determine by Engliſh bill actions of debt, *aſſumpſit & inſimul computaſſet* under 10*l.* by this act, but by 1 *G.* 2. *c.* 14. enlarged to 20*l.* in actions of debt, *&c.* CIVIL BILLS, 1, 14.

In *trover*, *quantum meruit*, *treſpaſs* or detinue for goods where the title of lands is not in queſtion, actions under 5*l.* *ibid.*

Defendants to have benefit of defence as if ſued in ordinary forms of common law or in equity. *ibid.*

Judges may decree execution or diſmiſs with coſts, and may decree intereſt where in equity intereſt ought to be decreed. *ibid.*

How jury may be returned to try any fact controverted, and judge may decree on the verdict, fee to officer for returning the jury, 1*s.* and to judges clerk for entering the verdict, 6*d.* *ibid.*

Nature of the proceſs on civil bills, and when returnable, and how to be ſerved. *ibid.* 2.

On proof of ſervice and on default of appearance judges may proceed, and in what manner to determine. *ibid.*

Execution how to be made by the ſheriff, who may grant a ſpecial warrant for 1*s.* at peril of plaintiff, and ſheriffs puniſhable as in other caſes. *ibid.*

Bill if not filed in 24 hours after proceſs returned may be diſmiſſed, or if not proceeded on when required by the court. *ibid.*

Court may on 4th day of aſſiſes oblige plantiff to proceed, and in default diſmiſs his bill with coſts. *ibid.*

None ſhall be compelled to appear to the proceſs out of the county he reſides in. *ibid.* 3.

Penalty on refuſing to give teſtimony, the coſts awarded by the court being firſt tendered, and how recoverable. *ibid.* 4.

Appeal lies to the next going judges of aſſiſe on paying coſts directed by this act and giving ſecurity to pay the ſum decreed with intereſt and coſts. *ibid.* 5.

Civil Bills.

Jury may be returned *inſtanter* for trial of facts on the appeal, and the verdict, execution and decree on appeal final. *ibid.*

Sheriff to forbear proceedings till the next aſſiſes on depoſiting the money, and giving bond of 5 *l.* to abide the decree of the next coming judges of aſſiſe, *ibid.* 6.

The court ſhall be a court of record, and perjury puniſhed by pillory, and nailing their ears thereto. *ibid.* 7.

The reſpective fees to be paid on civil bills. *ibid.* 8.

Sheriff ſuffering an eſcape liable to the debt, and how recoverable. *ibid.* 9.

On what condition the decree or diſmiſs may be renewed and fees for renewal. *ibid.* 10.

Books of the cauſes, with whom to be depoſited. *ibid.*

2 *G.* 2. *c.* 11. Penalty on attornies practiſing on civil bills who do not appear every iſſuable term in one of the four courts, *&c.* judges clerk or juſtice of that county not to practiſe on civil bills. *ibid.* 11.

8 *G.* 1. *c.* 6. Service of proceſs on relation living in defendant's houſe good ſervice in ſuit by civil bill. *ibid.* 13.

1 *G.* 2. *c.* 14. Civil bill lies for 20 *l.* in debt on bond, bill, or ſpecialty for money, and in caſe on promiſſory notes and inland bills. *ibid.* 14.

On civil bill for more than 10 *l.* how proceſs muſt be ſerved. *ibid.* 15.

No decree to be made on warrant of attorney, unleſs the perſon bound be ſerved and defendant may have ſame benefit as at law or in equity. *ibid.* 16.

Sheriff neglecting to pay the ſum depoſited or levied ſhall forfeit double, with intereſt from the time of the demand. *ibid.* 17.

Decree not to be renewed more than twice, without ſerving proceſs, or affidavit of endeavours to execute the decree. *ibid.* 18.

Clergy, benefit of.

4 *Hen.* 7. *c.* 13. *Eng.* Perſons not within orders, and to whom the benefit of clergy hath been once granted, ſhall not be allowed it a ſecond time. CLERGY, 5.

11 *Jac.* 1. *c.* 3. Rape is felony without clergy and perſons allowed clergy not to be delivered to the ordinary, *&c.* *ibid.* 7, 8.

10 *Car.* 1. *ſeſſ.* 2. *c.* 20. Buggery is felony without clergy, and loſs of lands and goods. FELONY, &c. 18.

10 *Car.* 1. *ſeſſ.* 3. *c.* 16, 9 *Will.* 3. *c.* 32. } Women guilty of felony in what caſes to be burned in the hand, where a man is allowed clergy. CLERGY, 9, 16.

15 *Car.* 1. *c.* 7. Perſons admitted to the benefit of clergy to anſwer all other felonies *ibid.* 10.

9 *W.* 3. *ſeſſ.* 1. *c.* 32. Perſons feloniouſly ſtealing goods of any ſort out of any dwelling houſe, *&c.* and not anſwering the indictment, guilty of felony without clergy. *ibid.* 11.

In what caſes perſons guilty of felony challenging above twenty of their jurors are excluded from clergy. *ibid.* 12, 13.

Perſons buying, *&c.* ſtolen goods, knowing them to be ſtolen, deemed acceſſories, *&c.* *ibid.* 14.

Clergy benefit of.

Stealing furniture out of a lodging is larceny and felony. *ibid.* 15.

Certificate of clerk of the crown produced in a different county from that where the felony is committed, ſetting forth that the felon had been before allowed the benefit of clergy, ſhall be ſufficient proof thereof. *ibid.* 17.

9 *A. c.* 6. If any perſon convicted of felonies for which he ought to have the benefit of clergy, ſhall pray the benefit of this act, he is not required to read. *ibid.* 18.

Having unlawful carnal knowledge of a female child under 12 years old, tho' by her conſent, felony without clergy. *ibid.* 19.

Perſons taking away goods out of a houſe, *&c.* or from the perſon of the value of 5 *s.* or ſtealing any cows, *&c.* value 1 *s.* and acceſſories, *&c.* guilty of felony without clergy. *ibid.* 20.

Perſons convict of ſtealing two cows, bulls, *&c.* at one time, if the judge find them on the preſentment of the grand jury objects of mercy, may be burned in the hand and enlarged, *&c.* *ibid.* 21.

The clerk of the crown, *&c.* where perſons have been convict ſhall certify a tranſcript of the judgment, *&c.* and clergy allowed and the benefit of this act, and the certainty of the felony, which ſhall be evidence. *ibid.* 22.

None who had the benefit of clergy to have benefit of this act, and women having the benefit of this act, not intitled to benefit of it again. *ibid.* 23, 24.

Witneſſes produced on trials in behalf of felons, *&c.* to take an oath to the truth, *&c,* and depoſe falſe evidence. *ibid.* 27.

Clerks of the Crown and Peace.

2 *H.* 4. *c.* 10. *Eng.* Fee for *venire* and entry on indictment of ſeveral, to the clerk of the crown of King's bench. CLERKS OF THE CROWN AND PEACE, 1.

25 *G.* 2. *c.* 14. Grand juries may at aſſiſes preſent a ſum not exceeding 10 *l.* for patentee clerk of the crown, and 5 *l.* to the clerk of the peace, the preſentment to be confirmed by judges of aſſiſes, and upon what terms the ſums preſented are to be paid. *ibid* 2, 3.

Coaches, Chairs, &c.

1 *G.* 2. *c.* 27. Governors of workhouſe may licenſe 200 hackney coaches, *&c.* in *Dublin*, each to pay 5 *l.* fine and 40 *s.* rent yearly, and like number of chaiſes in *Dublin*, each to pay 40 *s.* yearly payable quarterly, *&c.* DUBLIN, 78.

Licences transferable to aſſignees, *&c.* *ibid.*

Entry of every aſſignment to be made in three months *ibid.*

If not made within three months aſſignee, *&c.* to forfeit 5 *l.* *ibid.*

Penalty on perſons driving, *&c.* ſuch coaches, *&c.* without ſuch licence or uſing horſes under 14 hands high, and how recoverable and to be applied. *ibid.*

Coaches, *&c.* to be numbered and in what manner. *ib.*

Penalty on driving without a number, *&c.* and how recoverable, *&c.* *ibid.*

Rates

Coaches, Chairs, &c.

Rates of hire for coaches and chairs. *ibid.* 53.

Penalty on coachmen exacting more than their hire, or leaving their fare. *ibid.*

Perſons keeping above two chairs ſhall forfeit their licences. *ibid.* 81.

To what uſes fines for licences and rents of coaches and chairs ſhall be applied. *ibid.* 82.

Coaches, chairs, drays, *&c.* by whom and how to be regulated, and miſbehaviour in chairmen and drivers how puniſhable. *ibid.* 83.

Coaches for journies and ſtage coaches, exempted. *ib.*

By-laws of governors, *&c.* for regulating hackney-coaches, *&c.* by whom to be approved, and the by-laws to be printed. *ibid.*

Remedy on refuſal to pay the hire, or for defacing coaches or chairs. *ibid.* 84.

3 *G.* 2. *c.* 17. None to aſſign a licence for a chair without conſent of five of the aſſiſtants on pain of forfeiting ſame, *&c.* *ibid.* 89.

Penalty of 5 *l.* upon perſons that took out a licence for a coach, *&c.* unleſs they keep and maintain a coach. *ibid.* 90.

Hire of coach after ten o'clock in the evening. *ib.* 91.

5 *G.* 2. *c.* 14. All complaints by and againſt coachmen, *&c.* by whom to be determined. *ibid.* 92.

19 *G.* 2. *c.* 21. Governors of workhouſe of *Dublin* ſhall licenſe hackney coaches, *&c.* and brewers drays or cars, and what fines, *&c.* required for ſuch licences. *ib.* 99.

Complaints againſt hackney coachmen, chairmen, cartmen, *&c.* how to be determined. *ibid.* 101.

Penalties on offenders how to be levied. *ibid.*

Corporal puniſhment may be inflicted by warrant from court of aſſiſtants. *ibid.*

Complaints by coachmen, *&c.* for nonpayment of fares, *&c.* how to be determined. *ibid.* 102.

Double coſts ſhall be paid to defendants for whom a verdict ſhall paſs, *&c.* in any action for executing this act. *ibid.* 103.

Certiorari ſhall not ſuperſede orders of court of aſſiſtants. *ibid.* 104.

25 *G.* 2. *c.* 16. Licenſed hackney coachmen, *&c.* ſhall have at rate of 8 *s.* a day in and within four miles of *Dublin*. *ibid.* 105.

What fare for firſt and every hour after, and for ſet-down as far as publick lights. *ibid.*

Who may make by-laws, and with whoſe approbation, for what additional fare of coaches to places rated by former acts. *ibid.* 106.

Hackney coachmen not compellable to drive for a ſet-down or by fare more than four miles from *Dublin*. *ibid.* 107.

In what manner to be paid for ſame. *ibid.*

Powers for licenſing additional number, and for increaſing the fare, of ſedan chairs. *ibid.* 108.

3 *G.* 2. *c.* 3. Yearly duties on coaches, berlins, chariots, calaſhes and chaiſes with four wheels or two. Coaches, 1, 5.

What account, and when, of coaches, *&c.* to be given by the owners to the collector of the diſtrict and penalty on neglect. *ibid.* 2, 3, 4.

A liſt of all coaches, *&c.* to be returned by ſuch collectors to the collectors of the duty. *ibid.* 2.

Coaches, Chaiſes, &c.

Perſon having coach of another in his poſſeſſion liable to the duty. *ibid.* 6.

To whom the duties ſhall be paid, and to be accounted for as hearth-money. *ibid.* 7, 8.

Collectors of the duties on coaches to be ſworn. *ib.* 9.

23 *G.* 2. *c.* 5. Duties on coaches. *&c.* continued for 21 years from 25 *March* 1758. *ibid.* 10.

How to be raiſed. *ibid.* 11.

Penalties how to be recovered. *ibid.* 12.

25 *G.* 2. *c.* 10. Perſons keeping coaches, *&c.* chargeable with duties to certifie to collectors, *&c.* account of ſuch coaches, *&c.* *ibid.* 13.

Penalty on offenders, and former penalties diſcharged. *ibid.*

Hearth money collectors to return a liſt of perſons ſo chargeable, verified by oath, and of all certificates lodged with them to their examinators. *ibid.* 14.

Examinators from ſuch certificates to deliver yearly, *&c.* a liſt of coaches to hearth-money collectors, who are to collect duties. *ibid.*

Remedy by appeal as for hearth-money. *ibid.*

Collectors of ſuch duties to ſign, *&c.* acquittances without fee, and to keep duplicates. *ibid.*

Examinator and collector in what manner to be paid out of ſuch duties. *ibid.* 15.

Examinator to keep duplicates of annual liſts and returns of hearth-money collectors of duties on coaches, *&c.* *ibid.* 16.

Collectors of revenue in what manner to return account of duties granted and continued by 3 & 23 *G.* 2. *ibid.* 17.

Examinator of hearth-money to certifie the duties under his examination to accountant general. *ibid.*

5 *G.* 3. *c.* 2, Additional duties on coaches, *&c.* *ibid.* 19,

Certificates to be returned to collectors, and penalty on omiſſion. *ibid.* 20, &c.

Coach-houſes.

17 *G.* 2. *c.* 6. Stealing goods to the value of 5 *s.* out of any coach-houſe, *&c.* felony without clergy. Felony, &c. 44.

Coals.

6 *G.* 1. *c.* 2. Penalty on buying and laying up in cellars, *&c.* more than 1500 tuns of coals in any one year for retail. Coals, 1.

Penalty on entring into combination for enhanſing the price of coals. *ibid.* 2, &c.

1 *G.* 2. *c.* 21. Dimenſions of meaſures for ſea coal, and penalty on uſing other meaſures. *ibid.* 10.

When proſecutions ſhall be commenced for the penalties inflicted by this act. *ibid.* 11.

Treble coſts given to perſons ſued for executing this act, on verdict, *&c.* *ibid.* 12.

31 *G.* 2 *c.* 14. On importing from *Iriſh* colleries to *Dublin*, and diſcharging at uſual places, 2 *s.* *per* ton premium *ibid.* 13.

On the collector's cocket, with name of ſhip, maſter, colliery, the quantity, *&c.* on maſter's oath, paying 1 *s.* 1 *d.* and of diſcharge in *Dublin* without fraud or mixture. *ibid.* 14.

Coals.

Forging or falſe ſwearing puniſhed as perjury. *ib.* 15.

31 *G.* 2. *c.* 15. Agreement to raiſe the price, or reſtrain free diſpoſal, void. Penalty 100*l.* to workhouſe and proſecutor. *ibid.* 16.

Perſonal interrogatories may be exhibited; to which no plea or demurrer: attachments for not anſwering. *ibid.* 17.

Acquitted on diſcovery, and examined againſt others. *ibid.* 18.

1 *G.* 3. *c.* 10. None to purchaſe, or keep yards for ſale, or act as factor, *&c.* in *Dublin*, without licence by lord mayor or recorder on 200*l.* bond not to engroſs, foreſtall, regrate, or combine to raiſe, paying 1*s.* DUBLIN, 108.

Factors, *&c.* not above 40 not to buy to ſell; penalty, or keeping yards without licence, 100*l.* not above 20 tons a year for conſumption. *ibid.* 119.

Oath by factors, &c. not to buy for ſale, act impartially, *&c.* *ibid.* 120.

Yard-keeper, factor, *&c.* not to keep gabbards; nor any one without licence: penalty 100*l.* *ibid.* 121.

A board with name of the coals hung at the maſt on arrival at quays, and at door of yards: penalty 20*l.* and and for impoſition, 50*l.* *ibid.* 122.

Rules for meaſures, porters, carmen, by lord mayor, recorder, and board of aldermen. *ibid.* 123.

Publick yards for journeymen, tradeſmen, manufacturers, and poor. *ibid.* 124.

Appointed by lord mayor, ſheriffs, and recorder. Bought in when under 16*s.* the tun, and ſold when above 18; half a barrel a day only to any one; 1*s.* the tun profit above firſt coſt and carriage; on certificate of miniſter and church-wardens, or lord mayor, recorder, or two aldermen; to be filed. *ibid.* 125.

Profits to pay rents and expences. *ibid.* 126.

Director appointed by chief governors: to buy from time to time, and draw on the treaſury; and on ſale pay once a month into treaſury: not above 10,000*l.* in advance. *ibid.* 127.

Director's ſalary 200*l.* 2 clerks of his appointment at 30*l.* each: ſworn, and bond with two ſureties in 10,000*l.* *ibid.* 128.

A comptroller at ſalary not above 100*l.* to examine director's accounts monthly, and ſaid yards once a fortnight: ſworn, and 2000*l.* ſecurity. *ibid.* 129.

Chief governors and council may ſummon, examine, and remove: lord mayor once a month to inſpect ſaid yards, and ſignify if improper. *ibid.* 130.

Director monthly to lay his books before board of aldermen, on his and his clerks affidavits, and comptroller's: may be examined on oath; and the books ſigned, or diſapprobation ſignified to chief governors, *&c.* *ibid* 131.

By-laws of the board as valid as if here enacted; if confirmed in a month, and not repugnant hereto. *ibid.* 132, *&c.*

Penalties before recorder as by 31 *G.* 2. *c.* 16. to proſecutor, and director towards the fund. *ibid.* 135.

Coal-pits.

15 *G.* 2. *c.* 10. All perſons are impowered by this act, to make leaſes of mines, *&c.* purſuant to the 10 *G.* 1. *c.* 5. COAL-PITS, 1.

Coal-pits.

23 *G.* 2. *c.* 9. In what manner, for what term and rent, leaſes may be made of coal-mines. *ibid.* 2.

Archbiſhops of Armagh how enabled to make leaſes of coal mines, on the lands granted by *C.* 1. for free-ſchools. *ibid.* 3.

What tenants for life of lands, containing mines reſerved out of fee farm grants, may make leaſes of mines, and how and for what term and rent. *ibid.* 4, 5, 6.

25 *G.* 2. *c.* 8. No owner of coal-mine ſhall knowingly employ perſons hired by another: penalty 5*l.* every 6 days, by civil bill: unleſs wages not paid in 14 days. *ibid.* 8.

29 *G.* 2. *c.* 12. Overſeer or collier diſpoſing of coal, unleſs fairly and openly purchaſed, forfeits 6*d.* *per* C. with horſe and carriage. *ibid.* 11.

1 *G.* 3. *c.* 17. Carmen and buyers at colliery ſhall before removal procure ticket from owner, with time of ſale, quantity, and parties names: or the coals, horſe, and car, forfeited to owner: reſtored, if ticket loſt, on proof before next juſtice, of fair purchaſe by clerk's books, *&c.* *ibid.* 13.

Colliers, abſent in breach of articles, or hiring with another without diſcharge, beſides former penalties two months impriſonment: and, beſides former penalties, 10*l.* by civil bill by ſecond employer to the former. *ibid.* 14.

5 *G.* 3. *c.* 15. Wages of colliers to be paid in money, under a penalty of one hundred pounds. *ibid.* 18.

Cockets.

14 & 15 *C.* 2. *c.* 9. Cockets, *&c.* not to be ſealed or ſubſcribed, but openly in the cuſtom-houſe. CUSTOMS, 59 Rule 19.

Cockets, *&c.* to be delivered to the ſearcher or ſurveyor, to be examined, at the time of ſhipping or landing goods. *ibid.* Rule 23.

A particular cocket to be given to every merchant ſealed, *&c.* in the open cuſtom-houſe, by the collector and controller of equal date with his entry. *ibid.* Rule 24.

Officer making cocket contrary to the entry, ſhall forfeit his office. *ibid.* Rule 35.

Collectors.

14 *C.* 2. *c.* 8. Collectors, where and by whom to be appointed, their oath and before whom to be taken. CUSTOMS, 137.

Collectors ſhall have ſuch reaſonable allowance by way of poundage or otherwiſe, as the chief governors and council ſhall think fit. *ibid.* 139.

Collectors of the ſeveral ports to ſend up monthly abſtracts and quarterly accounts to the commiſſioners. *ibid.* 84. Rule 44.

Collectors to come up yearly to Dublin, and adjuſt their accounts upon oath. *ibid.*

Collectors to give diligent attendance for diſpatch of merchants without damage to the King. *ibid.* 89. Rule 49.

33 *G.* 2. *c.* 10. Abſtracts and quarterly accounts of collectors, evidence of debts due by them to his Majeſty. REVENUE OFFICERS, 16.

Oath

Collectors.

Oath of collectors to be annexed to every quarterly account. *ibid.* 17.

5 *G.* 3. *c.* 16. Collectors, defacing or deſtroying books of accounts, guilty of felony. *ibid.* 21.

Secreting books of accounts, or not delivering them up after notice. FELONY. *ibid.* 22.

Commiſſions and Commiſſioners.

42 *Ed.* 3. *c.* 4. *Eng.* Commiſſion of inquiry ſhall be made to juſtices of both benches, juſtices of aſſiſe, *&c.* COMMISSIONS, *&c.* 1.

4 *H.* 4. *c.* 9. *Eng.* In what manner perſons diſtrained by writ, *&c.* for not returning commiſſions which they did not receive, may be relieved. *ibid.* 2.

7 *H.* 4. *c.* 11. *Eng.* Perſons not receiving a commiſſion, *&c.* to be diſcharged. *ibid.* 3.

28 *H.* 6. *ſeſſ.* 2. *c.* 2. What perſons muſt be of the *Quorum* in commiſſions for trial of treaſon, *&c.* in the ſeveral counties named by this act. *ibid.* 4.

3 *C.* 1. *Petition of Right.* No commiſſion ſhall iſſue for proceeding according to martial law. LIBERTIES, &c 27.

10 *C.* 1. *ſeſſ.* 2. *c.* 14. Aſſiſe of *novel diſſeiſin*, &c. ſhall not be diſcontinued by a new commiſſion, *&c.* DISCONTINUANCE, 7.

Preferment of juſtices of aſſiſe and other commiſſioners, *&c.* ſhall not abate their authority. *ibid.* 4.

11. *G.* 2. *c.* 6. All commiſſions, certificates, *&c.* to be in *Engliſh*, and not wrote in the *court hand*, but commiſſions, *&c.* beyond ſea, or in the admiralty, may be certified in *Latin*. PLEADINGS, 36, 39.

Commiſſioners and Sub-commiſſioners of the Revenue.

14 *C.* 2. *c.* 8. Office of exciſe erected in *Dublin*, and to be managed by commiſſioners nor exceeding five, and a ſurveyor, to be appointed by the chief governors, and commiſſioned under the great ſeal, and their power for appointing and diſplacing officers. CUSTOMS, 137.

Oath of office to be taken by commiſſioners and ſub-commiſſioners of exciſe, and by whom to be adminiſtred. *ibid.*

Sub-commiſſioners and collectors to be appointed by commiſſioners with approbation of the chief governors, and to give ſecurity. *ibid.* 139.

What allowance by way of poundage or otherwiſe ſhall be made to commiſſioners, ſub-commiſſioners and collectors. *ibid.*

14 *C.* 2. *c.* 9. Commiſſioners of the cuſtoms muſt deliver half yearly the abſtracts and quarterly accounts of the receipts of collectors to the auditor general. *ibid. Rule* 44

Commiſſioners of the cuſtoms in what manner to inſpect the accounts, behaviour, and proceedings of their officers. *ibid. Rule* 45.

The commiſſioners, *&c.* muſt once every year viſit the out-ports, to inquire into the affairs of the ports, the demeanour of their officers and to rectify matters by ſuch inſtructions, as they with approbation of the chief governors and council, ſhall think fit. *ibid. Rule* 46.

Commiſſioners of the cuſtoms ſhall not be more than ſeven or leſs than five in number, to be appoinetd by the chief governors and council, and commiſſioned under the great ſeal, and ſworn into office by the lord chief baron. *ibid. Rule* 47.

1 *G.* 3. *c.* 7. Commiſſions for cuſtoms or exciſe heretofore granted, are declared valid *ibid.* 313.

Commiſſions may be granted either during good behaviour or during pleaſure. *ibid.* 314.

Common Pleas.

9 *H.* 3. *c.* 11. *Eng.* Common Pleas not to follow the King's court, but be held in a place certain. COMMON PLEAS, 1.

28 *E.* 1. *ſtat.* 3. *c.* 4. *Eng.* Common pleas ſhall not be held in the exchequer. EXCHEQUER, 21.

2 *E.* 3. *c.* 11. *Eng.* Common pleas ſhall not adjourn the parties without warning that they may ſave their proceſs. COMMON PLEAS, 2.

7 *E.* 4. *c.* 4. Lieutenant of *Ireland*, &c. may by 28 days garniſhment remove the common pleas or exchequer where they think neceſſary. EXCHEQUER, 35.

Common Prayer. See Service and Sacraments.

Common Recoveries. See Fine.

Conditions.

10 *C.* 1. *ſeſſ.* 2. *c.* 4. Grantees and aſſignees their heirs, *&c.* ſhall have the ſame benefit on breach of conditions in leaſes and grants as the leſſors, grantors, their heirs, *&c.* and ſhall have the ſame remedy, *&c.* CONDITIONS, 1, 2.

15 *C.* 1. *c.* 3. Grantees, leſſees, *&c.* of the King, holding on condition that their eſtates ſhall be void on non-payment of rent, *&c.* if before proceſs they diſcharge the ſame, ſhall not forfeit, *&c.* *ibid.* 3, 4.

c. 6. Words of covenant, agreement, or command in letters patent, ſhall not be conſtrued as a condition or proviſo. *ibid.* 5.

Breach of ſuch covenant, *&c.* ſhall work no avoidance or impeach the letters patent, but the King ſhall have damages by action of covenant or bill in the exchequer. *ibid.*

The King not to be barred of entry or reſeiſure for breach of any expreſs condition in letters patent. *ibid.*

Confirmation of Statutes.

8 *E.* 4. *c.* 1. All ſtatutes made in *England* are confirmed and ratified in *Ireland*. CONFIRMATION OF STATUTES, 1.

10 *H.* 7. *c.* 8. All ſtatutes of Kilkenny, *&c.* and all other ſtatutes for the public good are confirmed. *ibid.* 2.

c. 22. All ſtatutes made in *England* for the public weal are confirmed in *Ireland*, and all ſtatutes to the contrary are revoked. *ibid.* 3.

Conge d'eſlire. See Biſhops.

Conies. See Game.

Conjuration and Witchcraft.

28 *Eliz. c.* 2. Perſons uſing witchcraft, *&c.* where the death of a man enſueth, and their aiders, *&c.* guilty of felony, *&c.* and what other puniſhment may be inflicted, *&c.* on perſons uſing conjuration, *&c.* CONJURATION, &c. 1, 2, 3, 4.

Conſecration of Biſhops. See Biſhops.

Conſimili caſu.

13 *E.* 1. *c.* 24. *Weſt.* 2. *Eng.* In caſes requiring like remedy, writs ſimilar to thoſe in uſe of a like nature, ſhall be framed for the parties by the clerks in chancery, if they can agree on the writ, otherwiſe to be referred to parliament, *&c.* CONSIMILI CASU, 1, 2.

Writ of nuiſance lies againſt the alienee of houſe, wall, *&c. ibid.*

Quod permittat lies for the ſucceſſor of a parſon, againſt the diſſeiſor of his predeceſſor or the diſſeiſor's heir for common of paſture. *ibid.* 2.

Writ grantable for tenements of the free alms of churches. *ibid.*

Conſtables.

5 *E.* 4. *c.* 5. One conſtable to be choſen for governing in every Engliſh Town. CONSTABLES, 1.

10 *H.* 7. *c.* 9. Each pariſh to have conſtables of able inhabitants. *ibid.* 2.

1 *Ann. ſtat.* 2. *c.* 17. *Eng.* This act for qualifying for offices, not to extend to high or petty conſtables. OATHS, 15.

10 *G.* 1. *c.* 3. When and in what manner conſtables for Dublin ſhall be choſen, and when to be returned for approbation by lord mayor. DUBLIN, 357.

On diſapprobation of ſuch conſtables by lord mayor, miniſter and churchwardens how to proceed, *vide the alteration of this clauſe by* 3 G. 2. c. 13. *ibid.*

Penalty on perſons ſo choſen conſtables not appearing after notice, or refuſing to take the oath of office, how to be levied and to be applied for finding a deputy. *ibid.* 214.

Inn-keepers and papiſts diſqualified from acting as conſtables, but ſhall find deputies to be approved by lord mayor, and penalty on neglect, and how to be applied. *ibid.*

Eſquires, half-pay officers, aldermen, deputy-aldermen, perſons having ſerved or paid a fine for not ſerving as ſheriffs, ſhall not be obliged to ſerve as conſtables, or to fine for not ſerving. *ibid.* 359.

Every conſtable to leave a memorandum with lord mayor of the place of his abode. *ibid.* 360.

No perſon ſhall be compelled to ſerve twice as conſtable in one pariſh. *ibid.*

1 *G.* 2. *c.* 13. Conſtable before he acts muſt take the oath of office before ſome juſtice of the peace. *ibid.* 376.

In pariſhes where one conſtable ſhall not be ſufficient, two or more may be appointed. *ibid.*

On diſapprobation of conſtables by lord mayor, *&c.* a judge of the King's bench may on hearing the matter approve or diſapprove. *ibid.*

Veſtry may diſapprove a deputy named by the conſtable, and appoint a deputy conſtable. *ibid.* 378.

Conſtables.

7 *G.* 2. *c.* 12. High conſtables, except for the city and county of Dublin, ſhall be appointed by grand juries at the aſſiſes, to continue for one year, and then to be diſcharged on accounting for the public money. CONSTABLES, 4.

Arrears of public money recoverable from executors, *&c.* of high conſtables by civil bill. *ibid.* 5.

23 *G.* 2. *c.* 14. On neglect of ſeneſchals, and ſheriffs to appoint petty conſtables in due time they may be appointed by juſtices at their next ſeſſions, and on neglect of the juſtices may be appointed by juſtices of aſſiſe, and for Dublin by judges of King's bench. CONSTABLES, 6.

Conſtables ſo appointed not obliged to ſerve longer than if appointed in the torn or leet. *ibid.* 7.

On death or removal of ſuch petty conſtables, others may be appointed, and for what time by juſtices of peace *ibid.* 8.

Perſons ſerving one year as high conſtables, not to be preſented again for ſeven years, and if preſented ſuch preſentment not to be confirmed by judges of aſſiſe. *ibid.* 9.

5 *G.* 3. *c.* 14. In large pariſhes two conſtables may be appointed. *ibid.* 9.

Conſultation. See Prohibition.

Contracts.

7 *W.* 3. *c.* 7. No contract for ſale of goods for 10 *l.* valid, unleſs the buyer accept part, give earneſt, or a note of the bargain be made and ſigned by the parties or their agents. FRAUDS, &c. 23.

24 *G.* 2. *c.* 23. *Brit.* The time for commencement or determination of contracts not altered by this act for correcting the calendar. CALENDAR, 6.

Contra formam Collationis.

13 *E.* 1. *c.* 41. *Weſt.* 2. *Eng.* In what caſes this writ lies, and form of the writ. CONTRA FORMAM COLLATIONIS, *per tot.*

Conventicles. See Nonconformiſts.

Convocation.

8 *H.* 6. *c* 1. *Eng.* Clergy and their ſervants coming to the convocation to enjoy the ſame liberties and defence as members of parliament. CONVOCATION.

Conuſance of Pleas.

1. Lords of ancient demeſne not to loſe their conuſance by being named diſſeiſors, *&c.* 9 *H.* 4. *c.* 5.

2. Lords not to loſe their conuſance by defaults made by colluſion, 8 *H.* 6. *c.* 26.

Copper and Copper Ore.

4 *A. c.* 12. No mines of copper tho' gold may be extracted, ſhall be adjudged to be royal mines. MINES, 1.

8 *A. c.* 6. Blanching copper for ſale, or mixing blanched copper with ſilver, or buying or ſelling blanched copper alone, or mixt with ſilver, felony. GOLD, *&c.* 10.

5 G. 2. c. 15.

Copper and Copper Ore.

5 G. 2. c. 15. *Brit.* Copper ore not to be imported directly from the plantations into Ireland. PLANTATIONS, 32.
33 G. 2. c. 10. Iron immerſed in copper-mine ſhall be deemed copper ore. CUSTOMS, 186.

Cordage.

3 G. 3. c. 34. Penalty on making cordage of old hemp or hempen yarn mixed with new hemp. CORDAGE.

Cork Applotments.

1 G. 3. c. 18. Grand jury at the aſſizes to preſent twenty ſix applotters of publick-money. CORK, 1.
Oath to be taken by applotters to aſſeſs the money equally. *ibid.*
Names of inhabitants to be returned by the conſtables on oath. *ibid.* 2
Thirteen diſtinct applotments to be made, and ſubſcribed. *ibid.* 3.
County to be aſſeſſed by the plow-land. *ibid.*
Penalty for refuſal or neglect of applotters. *ibid* 4.
Conſtables to collect by warrant from the treaſurer. *ibid.* 5.
Treaſurers to account at every aſſizes on oath. *ibid.*
Conſtables neglecting to collect are to be fined. *ib.* 6.
Diſtreſs and ſale of goods of perſons refuſing to pay. *ibid.* 7.
3 G. 3. c. 17. The former act is made perpetual. *ib.* 10.
5 G. 3. c. 24. Expences of applotters and treaſurer provided for. *ibid.* 11, 12.

Cork-Bread.

3 G. 3. c. 17. Allowance to bakers according to the price of wheat. CORK, 16.
Diſcretionary power in the mayor and common-council. *ibid.* 17.
Table for the aſſize of bread. *ibid.* 19.
Wheat or meal to be bought only in open market or from importers. *ibid.* 20.
Penalty on bakers buying corn in any other manner. *ibid.* 21.
The quantities of different kinds of bread to be baked. *ibid.* 22.
Penalty on bakers not obſerving the orders publiſhed. *ibid.* 23.
Bakers ſhall not ſell meal. *ibid.* 24.
Appeal to the ſeſſions. *ibid.* 25.

Cork-Bridges.

1 G. 3. c. 19. A new bridge to be built from Prince's-Street to Lavit's Iſland. CORK, 27.
A new bridge to be built from Lavit's Iſland to the Red Abby Marſh. *ibid.*
5 G. 3. c. 24. A draw-bridge to be erected inſtead of the ſtone bridge over the Lee. *ibid.* 27.
A bridge of three arches to be built from Lavit's Iſland to the Red Abby Marſh. *ibid.*

Cork-Coaches, &c.

1 G. 3. c. 18. Licences to hackney-coaches, chaiſes and ſedan-chairs. CORK, 29.
Rent to be reſerved upon every licence granted. *ibid.*
Penalty for driving or hiring out coaches, &c. without a licence. *ibid.*
Penalty for driving or hiring out coaches, &c. without a number or figure. *ibid.*
Diſtreſs and ſale of goods for the recovery of licence-money and penalties. *ibid.*
Licenſes deviſeable or transferable. *ibid.* 30.
Aſſignments of licences for ſedans, without conſent of governors of the work-houſe void. *ibid.* 31.
Rates of coach-hire, &c. to be adjuſted by the governors of the work-houſe. *ibid.* 32.
Power of making by-laws to be approved by the next judges of aſſiſe. *ibid.*
Coach-men, &c. exacting more than their fare, or behaving with inſolence, the penalty. *ibid.* 33.
Refuſing to pay coach-hire, &c. the remedy. CORK, 34.
3 G. 3. c. 17. All chaiſes drawn by horſes ſhall be licenſed. *ibid.* 35.
All perſons ſetting up coaches, &c. for hire, ſhall take out licenſe within 3 months. *ibid.* 36.
Quarterly account of coaches, &c. to be returned to the mayor and regiſtered in a book. *ibid.*
Penalty for refuſing to ply for hire, or neglecting to make returns. *ibid.* 37.

Cork Coals.

3 G. 3. c. 17. Perſons buying coals for ſale or acting as factors, &c. to be licenſed. CORK, 37.
Bond to be given not to engroſs, or combine to enhance the price of coals. *ibid.*
Number of factors not to exceed fifteen. *ibid.* 39.
Penalty for keeping coal-yards without licenſe. *ibid.*
Oath to be taken by factors. *ibid.* 40.
Factors or keepers of coal-yards not to keep boats or gabbards. *ibid.* 41.
Licence to be taken for keeping boats or gabbards. *ibid.*
Boards to be hung at the maſts of ſhips, with the true name of the place from whence coals are brought. *ibid.* 42.
And at the doors of yards or cellars where coals are ſold. *ibid.*
Penalty for ſelling coals by a falſe denomination. *ibid.*
Agreements and combinations to enhance the price of coals illegal and void. *ibid.* 43.
Orders may be made for regulating the meaſurement and carriage of coals. *ibid.* 44.
Duties on coals continued for 31 years for the uſe of the work-houſe. CORK, 46.
5 G. 3. c. 15. The act 1 G. 3. to prevent the exceſſive price of coals in Dublin ſhall extend to CORK. *ibid.* 47.

Cork-Debtors.

3 G. 3. c. 17. Court of conſcience eſtabliſhed. CORK, 53.
Confinement for debts of 20 *s.* not to exceed 3 months and under 40 *s.* 6 months. *ibid.*

Cork Harbour.

1 G. 3. cap. 18. Places appointed for diſcharging ballaſt. Cork 54.

Penalty for throwing ſtones or rubbiſh into the river. *ibid.* 57.

Buoys to be kept fixed to anchors of ſhips. *ibid.* 58.

Ships having gun-powder exceeding 50 pounds weight, where to anchor. *ibid.* 60.

Regulations for lading and diſcharging ſhips. *ibid.* 61. *&c.*

Cork Highways.

3 G. 3. c. 17. Affidavits for obtaining preſentments for roads. Cork, 67.

Removing encroachments or nuſances. *ibid.* 68.

Any perſon may remove dung or rubbiſh laid in the highways or ſtreets. *ibid.* 70.

Appointment of ſcavengers and their ſalaries. *ibid.* 71.

Penalty on carmen ſitting on their cars without a perſon to lead them. *ibid.* 72.

Cork Infirmaries.

5 G. 3. cap. 20. Vice treaſurer to pay 50 *l.* yearly for the infirmary. Cork. 73.

Preſentment at every ſummer aſſizes for the infirmary. *ibid.* 74.

Cork Juries.

5 G. 3. c. 24. Want of freehold no legal objection to jurors. Cork, 77.

Cork Lamps.

5 G. 3. c. 24. Power to fix the number, kind and time of lighting lamps. Cork, 79.

Appointment of applotters for the money to be levied. *ibid* 80.

Oath to be taken by applotters to act impartially. *ibid.* 83.

Penalty of refuſing or neglecting to applot. *ibid.* 85.

Forfeitures for not making applotments in 1 month after appointment. *ibid.* 86.

Contracts for lighting lamps not exceeding 14 years. *ibid.* 87.

Collectors of lamp money to be appointed. *ibid* 88.

Removal of contractors for neglect or miſbehaviour. *ibid.* 92.

Penalty for neglect of duty in lighting the lamps, *&c.* *ibid.* 94.

Penalty for breaking or damaging lamps. *ibid.* 95.

Stealing or forcibly carrying away lamps, felony. *ibid.* 103.

Property of the lamps, *&c.* veſted in the corporation of the city of Cork. *ibid.* 106.

Cork Manufactures.

3 G. 3. c. 15. Combinations or unlawful aſſemblies to be examined into. Cork, 111.

Puniſhment of perſons refuſing to be examined. *ibid.*

Indemnity to perſons giving evidence on proſecutions *ibid.* 112.

Cork Markets.

5 G. 3. c. 24. Market-jury how to be returned and ſworn. Cork, 114. *&c.*

Jury to inſpect the quality of proviſions and victuals. *ibid.* 116.

May ſeize bad or fraudulent proviſions, and the perſons expoſing them to ſale. *ibid.* 117.

Penalty on perſons refuſing to attend or be ſworn on the jury. *ibid.* 119.

Cork Quays.

3 G. 3. c. 17. Parapet-walls to be built on the edges of the dikes and canals. Cork. 120.

Owners and occupiers to build the walls oppoſite to their houſes or ground. *ibid.*

Forfeiture for neglecting to build walls after notice given. *ibid.* 122.

Adjuſtment of expences between landlords and tenants. *ibid.* 124.

Breaking or pulling down walls, how to be puniſhed. *ibid.* 125.

Stealing or carrying away rails, bars, *&c.* felony. *ibid.* 126.

Walls broken down to be repaired by the perſons obliged to build ſuch walls. *ibid.* 127.

Neglecting to repair to be puniſhed as neglecting to build ſuch walls. *ibid.*

Owners, *&c.* of corner houſes to build and repair the walls oppoſite to the ends of the ſtreets. *ibid.* 128.

Cork Streets.

5 G. 3. c. 24. Commiſſioners appointed for making wide and convenient ſtreets. Cork, 129.

What powers are veſted in the commiſſioners. *ibid.* 131.

Cork Treaſurer.

1 G. 3. c. 19. Preſentment not exceeding 50 *l.* for the treaſurer of the county. Cork, 132.

Preſentment not exceeding 40 *l.* for the treaſurer of the city. *ibid.* 133.

Cork Water and water-courſes.

1 G. 3. c. 19. Power to make reſervoirs, make trenches and lay pipes for water. Cork, 134.

Satisfaction for damages by verdict of a jury. *ibid.*

Penalty for breaking or damaging the works for conveying water. *ibid.* 136.

5 G. 3. c. 24. Powers transferred to the mayor, ſheriffs and commonalty. *ibid.* 138.

Grants of ſhares or dividends of the profits of the water. *ibid.* 139.

By-laws for regulating the works to have the force of a law. *ibid.* 140.

Agreements may be made with owners of lands for taking up or conveying water. *ibid.* 141.

Cork Weigh-maſters.

5 G. 3. c. 15. Appointment of new weigh-maſters. Cork. 144.

Deputies may be removed for miſbehaviour. *ib.* 45.

Corn, &c.

8 *E.* 4. *c.* 2. None to buy corn in the market having ſufficient of his own. CORN, 1.

Perſons buying corn in markets to ſell in markets adjudged regrators. *ibid.*

12 *E.* 4. *c.* 3. Penalty on exporting grain where a peck exceeds 10 *d.* *ibid.* 2.

13 *H.* 8. *c.* 1. Burning ricks of corn in fields or towns, high treaſon. TREASON, 6.

28 *H.* 8. *c.* 24. Penalty on leazing corn except in their own fields, and on occupiers permitting perſons, and on perſons keeping inmates, to leaze corn in fields, and penalty on giving or taking corn for reaping or binding corn. CORN, 3 to 8.

10 *C.* 1. *ſeſſ.* 4. *c.* 17. Perſons cutting or taking away corn growing, ſhall make ſatisfaction to the party or be whipt. TRESPASS, 2.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 17. Burning corn or grain in the ſtraw how puniſhable, and juſtices of peace in or out of ſeſſions to determine the offence. CORN, 8.

11 *G.* 2. *c.* 11. All corn, *&c.* to be ſold by weight and not by meaſure *ibid.* 9.

Bargains made for ſelling otherwiſe void *ibid.* 10.

Penalty on perſons ſelling or delivering corn otherwiſe than by weight. *ibid.* 11.

What weight of the ſeveral kinds of corn, grain, *&c.* ſhall be deemed a quarter. *ibid.* 12.

Scales and weights to be provided and erected in the ſeveral cities and towns. *ibid.* 13, *&c.*

Fees for weighing at the public ſcales. *ibid.* 15.

Penalty of adulterating corn, *&c.* to make it appear heavier. *ibid.* 17.

1 *G.* 3. *c.* 17. The act 11 *G.* 2. *c.* 11. made perpetual. *ibid.* 18.

31 *G.* 2. *c.* 3. Premium for land-carriage of corn, *&c.* to Dublin. *ibid.* 19.

Affidavit to be made by the owner, *&c.* of the corn, *&c.* before a juſtice of the county, *&c.* *ibid.* 21.

Certificate of two juſtices of the county, and proof on oath. *ibid.*

Affidavit of the carrier of the corn. *ibid.* 22.

Penalty of counterfeiting certificates or affidavits. *ibid.* 23.

31 *G.* 2. *c.* 12. Requiſites appointed inſtead of the former. *ibid.* 25.

Affidavit of the owner, *&c.* to be ſworn before a juſtice of the county whence the corn is brought. *ibid.*

Quantity of corn, and the number of miles from Dublin in words and not in figures. *ibid.*

Affidavit of carrier. *ibid.* 26.

Craners refuſing or giving a falſe note, *ibid.* 27.

Penalty of forging any affidavit, certificate or note. *ibid.* 29.

Juſtices ſigning blank certificates, *&c.* diſabled to act. *ibid.* 30.

Publick office to be erected in Thomas-ſtreet. *ibid.* 31.

An officer to be appointed with a ſalary. *ibid.*

Examinator of premiums and vouchers. *ibid.* 41.

Officers taking rewards diſqualified to act. *ibid.* 42.

Middle price of corn to be publiſhed weekly in the Gazette. *ibid.* 43.

Addition premiums for malt and flower of wheat. *ibid.* 44.

Corn, &c.

3 *G.* 3. *c.* 9. Proportionable premium for every mile over ten. *ibid.* 45.

The ſame premium for pearl-barley as for malt. *ibid.*

5 *G.* 3. *c.* 18. Premiums for preſerving corn on ſtands. *ibid.* 47.

Quantity not to be leſs than that annexed to each premium. *ibid.* 48.

Notice to be given by perſons claiming premiums. *ibid.* 50.

Ten barts of each kind of corn to be threſhed and cleaned, and the produce returned. *ibid.* 52.

Payments of the premiums by the vice-treaſurer to be allowed in his accounts. *ibid.* 53.

Certificate of the rector, vicar or curate of the pariſh. *ibid.* 55.

5 *G.* 3. *c.* 19. Premiums for corn, *&c.* exported when under ſuch a price. *ibid.* 58.

No cuſtom, fee or reward to be taken by officers. *ibid.*

Grand jurors neglecting to preſent the price of corn are to be fined. *ibid.* 60.

Times for payment of premiums. *ibid.* 61.

Oath to be made that no premium has been received for inland carriage. *ibid.* 62.

Chief governors may ſuſpend payment of premiums for exportation of corn from *Dublin*. *ibid.* 63.

Continuance until 1ſt of *March*, 1772.

Coroners.

3 *E.* 1. ~~*c.* 10.~~ *Eng.* Coroners to be ſufficient men, *&c.* and take nothing for executing their office. CORONERS, 1.

4 *E.* 1. *c.* 10. *Eng. Offic. Coron.* Coroners in what manner to inquire of perſons ſlain, drowned, *&c.* *ibid.* 2, 3.

14 *E.* 3. *c.* 8. *Eng.* A coroner ſhall have ſufficient land in fee in the county. *ibid.* 4.

28 *E.* 3. *c.* 6. *Eng.* Coroners to be choſen in full counties and by whom. *ibid.* 5.

32 *H.* 6. *c.* 2. Coroner to diſcharge the jury on inqueſts before him, if they affirm they know not the felon, or they may depart if he refuſe it. JURIES, 17.

3 *H.* 7. *c.* 1. *Eng* Coroner in what manner to inrol inquiſitions upon murder, and to whom to be certified, *&c.* and fee to coroner. MURDER, 3.

Penalty on coroner remiſs in his duty, *&c.* *ibid.*

10 *Car.* 1. *ſeſſ.* 2. *c.* 18. Coroner on inquiſition of murder, *&c.* to put in writing the effect of the evidence to the jury, and certify the ſame. BAIL, 6.

Coroner, *&c.* to bind deponents by recognizance to appear. *ibid.*

Juſtices of goal delivery may fine coroner offending *ibid.* 7.

Corporations and towns corporate.

23 *H.* 6. *c.* 15. *Eng.* Penalty on chief officer of a corporation making falſe returns of members of parliament. PARLIAMENT, 17.

10 *H.* 7. *c.* 7. Penalty on any city, *&c.* ſuffering any perſon to be alderman, *&c.* but ſuch as have been apprentices or continually reſident in the corporations. CORPORATIONS, &c. 1.

Corporations and towns corporate.

All acts in corporations contrary to the King's prerogative, shall be void. *ibid.*

17 & 18 *C.* 2. *c.* 2. Authorizing lord lieutenant, to make rules for regulating corporations and electing magistrates, and the several rules, commonly called *The New Rules*, established by virtue of the power. CORPORATIONS, &c. 2. to 14.

2 *G.* 1. *c.* 19. On death, *&c.* of an alderman, *&c.* corporation in what time to proceed to elect. *Vide post.* 1 *G.* 2. *c.* 9. *ibid.* 12.

4 *G.* 1. *c.* 3. Oath required by the new rules taken away, and no forfeiture of office in corporations shall incur for not having taken the oath. *ibid.* 13, 14.

1 *G.* 2. *c.* 9. None to vote, *&c.* who is not six months free, unless he came in by service, *&c.* *ibid.* 15.

Time for chooſing aldermen, *&c.* enlarged to 31 days. *ibid.* 16.

Penalty on magistrates offending in not giving notice of the time for the election. *ibid.*

Penalty how to be applied, and within what time recoverable. *ibid.* 17, 18.

19 *G.* 2. *c.* 12. Where corporations do not elect officers in the time by charter, *&c.* they shall not be dissolved, and how and in what manner they shall proceed to an election. *ibid.* 19 to 33.

If they do not elect pursuant to this act, *mandamus* may issue to require them to proceed to an election, and proceedings on return of such *mandamus*, vide *mandamus*. *ibid.* 19, 20.

The officers elected shall take the usual oaths, and at what time, and before whom. *ibid.* 27.

What number of persons required to be present and concur in such election. *ibid.* 28.

All such officers before they act must be first approved by the lord lieutenant and council. *ibid.* 29.

Penalty on and disability of chief officers of corporations, *&c.* absenting from or hindering election in corporations. *ibid.* 30.

Corporations saved from dissolution for not electing, *&c.* officers before this act. *ibid.* 31.

This act not to invalidate any former charter granted to any corporation. *ibid.* 32.

Where *mandamus* shall issue, return shall be made to the first writ. *ibid.* 33.

21 *G.* 2. *c.* 10. Persons elected duly into offices and franchises in towns corporate or boroughs not being cities, shall not be ousted, or prosecuted for non-residence. *ibid.* 35.

1 *G.* 3. *c.* 11. Justices acting under charters of cities, *&c.* contrary to their duty disabled to act. *ibid.* 36.

Trial for such offences to be had in an indifferent county. *ibid.* 37.

1 *G.* 3. *c.* 17. Issues for tolls or customs claimed by corporations to be tried by a jury of an indifferent county. *ibid.* 39.

No ouster of officers duly elected, if they have taken the oaths required by law. *ibid.* 40.

Schedule of tolls to be hung up in market-houses. *ibid.* 41.

Penalty for taking tolls not comprized in such schedule. *ibid.* 42.

Fuel exempted from payment of all tolls or customs, *ibid.* 43.

Corpus cum causa.

2 *H.* 5. *Stat.* 1. *c.* 2. *Eng.* If *corpus cum causa* be granted to remove a person in execution, he shall be remanded. CORPUS CUM CAUSA, 1.

9 *W.* 3. *c.* 38. No writs, except error or attaint to remove any cause, *&c.* shall be allowed, *&c.* except the same be delivered before issue or demurrer joined unless the same be joined in six weeks after arrest or appearance. *ib.* 2.

When remanded by *procedendo* the action shall never be removed again before judgment. *ibid.* 3.

No action to be moved out of said courts not concerning freehold, *&c.* if the demand amount not to 5*l.* except by error, *&c.* *ibid.* 4.

Writs issued contrary may be refused, *&c.* *ibid.* 5.

Costs.

3 *H* 7. *c.* 15. Defendant in *Error* to have costs on affirmance of judgment, discontinuance or nonsuit. DAMAGES, &c. 4.

10 *C.* 1. *sess.* 2. *c.* 17. Costs on non performance of *covenants*. DAMAGES, &c. 5. SUITS, 10.

10 *C.* 1. *sess* 2. *c.* 17. Costs recoverable in actions of *debt*. DAMAGES, &c. 5.

10 & 11 *C.* 1. *c.* 8. Defendants to have costs in *ejectment* on nonsuit or verdict for defendants. *ibid.* 8.

9 *W.* 3. *c.* 35. 4 *G.* 1. *c.* 13. Costs to be awarded on judgment on *demurrer*, either for plaintiff or defendant, at discretion of the judges, and how recoverable. SUITS, 4, 13.

11 *G.* 2. *c.* 6. Costs to be paid on *amending* pleadings for clerical mistakes. PLEADINGS, 38.

Cottages.

1 *Ann. c.* 32. *Eng.* Lease may be made of one cottage under 30*s. per ann.* and two acres to one day labourer, and if otherwise made shall be void, lessor and lessee to forfeit treble the value. COTTAGES.

Cotton and Cotton wool.

12 *C.* 2. *c.* 18. *Eng.* To what places cotton wool of the growth of *English* plantations shall be imported. PLANTATIONS, 1.

17 & 18 *C.* 2. *sess.* 5. *c.* 13. The dimensions and weight required in cottons, *&c.* DRAPERY. 30.

4 *G.* 2. *c.* 15. To what places cotton, *&c.* of the growth of the plantations in *America*, shall be imported. PLANTATIONS, 32.

5 *G.* 3. *c.* 1. Additional duties on cotton or cotton and linen mixed imported except of *British* manufacture. CUSTOMS, 407.

Covenants.

10 *C.* 1 *sess.* 2. *c.* 15. Like process shall be in writs of covenant as in actions of debt. PROCESS, 9.

7 *W.* 3. *sess.* 1. *c.* 25. Recognizance to be entered into for damages, *&c.* on bringing writ of error on judgments in covenant. ERROR, 9.

9 *W.* 3. *c.* 35 Plaintiff may on bond to perform covenants assign several breaches and have damages for such as are proved. SUITS, 10.

In what manner damages may be assessed on judgments on demurrer or by default in actions of covenant. *ibid.*

Copper and Copper Ore.

5 G. 2. c. 15. *Brit.* Copper ore not to be imported directly from the plantations into Ireland. PLANTATIONS, 32.

33 G. 2. c. 10. Iron immerſed in copper-mine ſhall be deemed copper ore. CUSTOMS, 186.

Cordage.

3 G. 3. c. 34. Penalty on making cordage of old hemp or hempen yarn mixed with new hemp. CORDAGE.

Cork Applotments.

1 G. 3. c. 18. Grand jury at the aſſizes to preſent twenty ſix applotters of publick money. CORK, 1.

Oath to be taken by applotters to aſſeſs the money equally. *ibid.*

Names of inhabitants to be returned by the conſtables on oath. *ibid.* 2

Thirteen diſtinct applotments to be made, and ſubſcribed. *ibid.* 3.

County to be aſſeſſed by the plow-land. *ibid.*

Penalty for refuſal or neglect of applotters. *ibid.* 4.

Conſtables to collect by warrant from the treaſurer. *ibid.* 5.

Treaſurers to account at every aſſizes on oath. *ibid.*

Conſtables neglecting to collect are to be fined. *ib.* 6.

Diſtreſs and ſale of goods of perſons refuſing to pay. *ibid.* 7.

3 G. 3. c. 17. The former act is made perpetual. *ib.* 10.

5 G. 3. c. 24. Expences of applotters and treaſurer provided for. *ibid.* 11, 12.

Cork-Bread.

3 G. 3. c. 17. Allowance to bakers according to the price of wheat. CORK, 16.

Diſcretionary power in the mayor and common-council. *ibid.* 17.

Table for the aſſize of bread. *ibid.* 19.

Wheat or meal to be bought only in open market or from importers. *ibid.* 20.

Penalty on bakers buying corn in any other manner. *ibid.* 21.

The quantities of different kinds of bread to be baked. *ibid.* 22.

Penalty on bakers not obſerving the orders publiſhed. *ibid.* 23.

Bakers ſhall not ſell meal. *ibid.* 24.

Appeal to the ſeſſions. *ibid.* 25.

Cork-Bridges.

1 G. 3. c. 19. A new bridge to be built from Prince's-Street to Lavit's Iſland. CORK, 27.

A new bridge to be built from Lavit's Iſland to the Red Abby Marſh. *ibid.*

3 G. 3. c. 24. A draw-bridge to be erected inſtead of the ſtone bridge over the Lee. *ibid.* 27.

A bridge of three arches to be built from Lavit's Iſland to the Red Abby Marſh. *ibid.*

Cork-Coaches, &c.

1 G. 3. c. 18. Licences to hackney-coaches, chaiſes and ſedan-chairs. CORK, 29.

Rent to be reſerved upon every licence granted. *ibid.*

Penalty for driving or hiring out coaches, &c. without a licence. *ibid.*

Penalty for driving or hiring out coaches, &c. without a number or figure. *ibid.*

Diſtreſs and ſale of goods for the recovery of licence-money and penalties. *ibid.*

Licenſes deviſeable or transferable. *ibid.* 30.

Aſſignments of licences for ſedans, without conſent of governors of the work-houſe void. *ibid.* 31.

Rates of coach-hire, &c. to be adjuſted by the governors of the work-houſe. *ibid.* 32.

Power of making by-laws to be approved by the next judges of aſſiſe. *ibid.*

Coach-men, &c. exacting more than their fare, or behaving with inſolence, the penalty. *ibid.* 33.

Refuſing to pay coach-hire, &c. the remedy. CORK, 24.

3 G. 3. c. 17. All chaiſes drawn by horſes ſhall be licenſed. *ibid.* 35.

All perſons ſetting up coaches, &c. for hire, ſhall take out licenſe within 3 months. *ibid.* 36.

Quarterly account of coaches, &c. to be returned to the mayor and regiſtered in a book. *ibid.*

Penalty for refuſing to ply for hire, or neglecting to make returns. *ibid.* 37.

Cork Coals.

3 G. 3. c. 17. Perſons buying coals for ſale or acting as factors, &c. to be licenſed. CORK, 37.

Bond to be given not to engroſs, or combine to enhance the price of coals. *ibid.*

Number of factors not to exceed fifteen. *ibid.* 39.

Penalty for keeping coal-yards without licenſe. *ibid.*

Oath to be taken by factors. *ibid.* 40.

Factors or keepers of coal-yards not to keep boats or gabbards. *ibid.* 41.

Licence to be taken for keeping boats or gabbards. *ibid.*

Boards to be hung at the maſts of ſhips, with the true name of the place from whence coals are brought. *ibid.* 42.

And at the doors of yards or cellars where coals are ſold. *ibid.*

Penalty for ſelling coals by a falſe denomination. *ibid.*

Agreements and combinations to enhance the price of coals illegal and void. *ibid.* 43.

Orders may be made for regulating the meaſurement and carriage of coals. *ibid.* 44.

Duties on coals continued for 31 years for the uſe of the work-houſe. CORK, 46.

5 G. 3. c. 15. The act 1 G. 3. to prevent the exceſſive price of coals in Dublin ſhall extend to CORK. *ibid.* 47.

Cork-Debtors.

3 G. 3. c. 17. Court of conſcience eſtabliſhed. CORK, 53.

Confinement for debts of 20 *s.* not to exceed 3 months and under 40 *s.* 6 months. *ibid.*

Duplicate

Cork Harbour.

1 G. 3. cap. 18. Places appointed for diſcharging ballaſt. Cork 54.

Penalty for throwing ſtones or rubbiſh into the river. *ibid.* 57.

Buoys to be kept fixed to anchors of ſhips. *ibid.* 58.

Ships having gun-powder exceeding 50 pounds weight, where to anchor. *ibid.* 60.

Regulations for lading and diſcharging ſhips. *ibid.* 61. *&c.*

Cork Highways.

3 G. 3. *c.* 17. Affidavits for obtaining preſentments for roads. Cork, 67.

Removing encroachments or nuſances. *ibid.* 68.

Any perſon may remove dung or rubbiſh laid in the highways or ſtreets. *ibid.* 70.

Appointment of ſcavengers and their ſalaries. *ibid.* 71.

Penalty on carmen ſitting on their cars without a perſon to lead them. *ibid.* 72.

Cork Infirmaries.

5 G. 3. cap. 20. Vice treaſurer to pay 50 *l.* yearly for the infirmary. Cork. 73.

Preſentment at every ſummer aſſizes for the infirmary. *ibid.* 74.

Cork Juries.

5 G. 3. *c.* 24. Want of freehold no legal objection to jurors. Cork, 77.

Cork Lamps.

5 G. 3. *c.* 24. Power to fix the number, kind and time of lighting lamps. Cork, 79.

Appointment of applotters for the money to be levied. *ibid.* 80.

Oath to be taken by applotters to act impartially. *ibid.* 83.

Penalty of refuſing or neglecting to applot. *ibid.* 85.

Forfeitures for not making applotments in 1 month after appointment. *ibid.* 86.

Contracts for lighting lamps not exceeding 14 years. *ibid.* 87.

Collectors of lamp money to be appointed. *ibid.* 88.

Removal of contractors for neglect or miſbehaviour. *ibid.* 92.

Penalty for neglect of duty in lighting the lamps, *&c.* *ibid.* 94.

Penalty for breaking or damaging lamps. *ibid.* 95.

Stealing or forcibly carrying away lamps, felony. *ibid.* 103.

Property of the lamps, *&c.* veſted in the corporation of the city of Cork. *ibid.* 106.

Cork Manufactures.

3 G. 3. *c.* 15. Combinations or unlawful aſſemblies to be examined into. Cork, 111.

Puniſhment of perſons refuſing to be examined. *ibid.*

Indemnity to perſons giving evidence on proſecutions. *ibid.* 112.

Cork Markets.

5 G. 3. *c.* 24. Market-jury how to be returned and ſworn. Cork, 114. *&c.*

Jury to inſpect the quality of proviſions and victuals. *ibid.* 116.

May ſeize bad or fraudulent proviſions, and the perſons expoſing them to ſale. *ibid.* 117.

Penalty on perſons refuſing to attend or be ſworn on the jury. *ibid.* 119.

Cork Quays.

3 G. 3 *c.* 17. Parapet walls to be built on the edges of the dikes and canals. Cork. 120.

Owners and occupiers to build the walls oppoſite to their houſes or ground. *ibid.*

Forfeiture for neglecting to build walls after notice given. *ibid.* 122.

Adjuſtment of expences between landlords and tenants. *ibid.* 124.

Breaking or pulling down walls, how to be puniſhed. *ibid.* 125.

Stealing or carrying away rails, bars, *&c.* felony. *ibid.* 126.

Walls broken down to be repaired by the perſons obliged to build ſuch walls. *ibid.* 127.

Neglecting to repair to be puniſhed as neglecting to build ſuch walls. *ibid.*

Owners, *&c.* of corner houſes to build and repair the walls oppoſite to the ends of the ſtreets. *ibid.* 128.

Cork Streets.

5 G. 3. *c.* 24. Commiſſioners appointed for making wide and convenient ſtreets. Cork, 129.

What powers are veſted in the commiſſioners. *ibid.* 131.

Cork Treaſurer.

1 G. 3. *c.* 19. Preſentment not exceeding 50 *l.* for the treaſurer of the county. Cork, 132.

Preſentment not exceeding 40 *l.* for the treaſurer of the city. *ibid.* 133.

Cork Water and water-courſes.

1 G. 3. *c.* 19. Power to make reſervoirs, make trenches and lay pipes for water. Cork, 134.

Satisfaction for damages by verdict of a jury. *ibid.*

Penalty for breaking or damaging the works for conveying water. *ibid.* 136.

5 G. 3. *c.* 24. Powers transferred to the mayor, ſheriffs and commonalty. *ibid.* 138.

Grants of ſhares or dividends of the profits of the water. *ibid.* 139.

By-laws for regulating the works to have the force of a law. *ibid.* 140.

Agreements may be made with owners of lands for taking up or conveying water. *ibid.* 141.

Cork Weigh-maſters.

5 G. 3. *c.* 15. Appointment of new weigh-maſters. Cork, 144.

Deputies may be removed for miſbehaviour. *ib.* 45.

Corn, &c.

8 *E.* 4. *c.* 2. None to buy corn in the market having ſufficient of his own. CORN, 1.

Perſons buying corn in markets to ſell in markets adjudged regrators. *ibid.*

12 *E.* 4. *c.* 3. Penalty on exporting grain where a peck exceeds 10 *d.* *ibid.* 2.

13 *H.* 8. *c.* 1. Burning ricks of corn in fields or towns, high treaſon. TREASON, 6.

28 *H.* 8. *c.* 24. Penalty on leazing corn except in their own fields, and on occupiers permitting perſons, and on perſons keeping inmates, to leaze corn in fields, and penalty on giving or taking corn for reaping or binding corn. CORN, 3 to 8.

10 *C.* 1. *ſeſſ.* 4. *c.* 17. Perſons cutting or taking away corn growing, ſhall make ſatisfaction to the party or be whipt. TRESPASS, 2.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 17. Burning corn or grain in the ſtraw how puniſhable, and juſtices of peace in or out of ſeſſions to determine the offence. CORN, 8.

11 *G.* 2. *c.* 11. All corn, *&c.* to be ſold by weight and not by meaſure *ibid.* 9.

Bargains made for ſelling otherwiſe void *ibid.* 10.

Penalty on perſons ſelling or delivering corn otherwiſe than by weight. *ibid.* 11.

What weight of the ſeveral kinds of corn, grain, *&c.* ſhall be deemed a quarter. *ibid.* 12.

Scales and weights to be provided and erected in the ſeveral cities and towns. *ibid.* 13, *&c.*

Fees for weighing at the public ſcales. *ibid.* 15.

Penalty of adulterating corn, *&c.* to make it appear heavier. *ibid.* 17.

1 *G.* 3. *c.* 17. The act 11 *G.* 2. *c.* 11. made perpetual. *ibid.* 18.

31 *G.* 2 *c.* 3. Premium for land-carriage of corn, *&c.* to Dublin. *ibid.* 19.

Affidavit to be made by the owner, *&c.* of the corn, *&c.* before a juſtice of the county, *&c.* *ibid.* 21.

Certificate of two juſtices of the county, and proof on oath. *ibid.*

Affidavit of the carrier of the corn. *ibid.* 22.

Penalty of counterfeiting certificates or affidavits. *ibid.* 23.

33 *G.* 2. *c.* 12. Requiſites appointed inſtead of the former. *ibid.* 25.

Affidavit of the owner, *&c.* to be ſworn before a juſtice of the county whence the corn is brought. *ibid.*

Quantity of corn, and the number of miles from Dublin in words and not in figures. *ibid.*

Affidavit of carrier. *ibid.* 26.

Craners refuſing or giving a falſe note, *ibid.* 27.

Penalty of forging any affidavit, certificate or note. *ibid.* 29.

Juſtices ſigning blank certificates, *&c.* diſabled to act. *ibid.* 30.

Publick office to be erected in Thomas-ſtreet. *ibid.* 31.

An officer to be appointed with a ſalary. *ibid.*

Examinator of premiums and vouchers. *ibid.* 41.

Officers taking rewards diſqualified to act. *ibid.* 42.

Middle price of corn to be publiſhed weekly in the Gazette. *ibid.* 43.

Addition premiums for malt and flower of wheat. *ibid.* 44.

Corn, &c.

3 *G.* 3. *c.* 9. Proportionable premium for every mile over ten. *ibid.* 45.

The ſame premium for pearl-barley as for malt. *ibid.*

5 *G.* 3. *c.* 18. Premiums for preſerving corn on ſtands. *ibid.* 47.

Quantity not to be leſs than that annexed to each premium. *ibid.* 48.

Notice to be given by perſons claiming premiums. *ibid.* 50.

Ten barts of each kind of corn to be threſhed and cleaned, and the produce returned. *ibid.* 52.

Payments of the premiums by the vice-treaſurer to be allowed in his accounts. *ibid.* 53.

Certificate of the rector, vicar or curate of the pariſh. *ibid.* 55.

5 *G.* 3. *c.* 19. Premiums for corn, *&c.* exported when under ſuch a price. *ibid.* 58.

No cuſtom, fee or reward to be taken by officers. *ibid.*

Grand jurors neglecting to preſent the price of corn are to be fined. *ibid.* 60.

Times for payment of premiums. *ibid.* 61.

Oath to be made that no premium has been received for inland carriage. *ibid.* 62.

Chief governors may ſuſpend payment of premiums for exportation of corn from *Dublin.* *ibid.* 63.

Continuance until 1ſt of *March*, 1772.

Coroners.

3 *E.* 1. *c.* 10. *Eng.* Coroners to be ſufficient men, *&c.* and take nothing for executing their office. CORONERS, 1.

4 *E.* 1. *c.* 10. *Eng. Offic. Coron.* Coroners in what manner to inquire of perſons ſlain, drowned, *&c.* *ibid.* 2, 3.

14 *E.* 3. *c.* 8. *Eng.* A coroner ſhall have ſufficient land in fee in the county. *ibid.* 4.

28 *E.* 3. *c.* 6. *Eng.* Coroners to be choſen in full counties and by whom. *ibid.* 5.

32 *H.* 6. *c.* 2. Coroner to diſcharge the jury on inqueſts before him, if they affirm they know not the felon, or they may depart if he refuſe it. JURIES, 17.

3 *H.* 7. *c.* 1. *Eng.* Coroner in what manner to inrol inquiſitions upon murder, and to whom to be certified, *&c.* and fee to coroner. MURDER, 3.

Penalty on coroner remiſs in his duty, *&c.* *ibid.*

10 *Car.* 1. *ſeſſ.* 2. *c.* 18. Coroner on inquiſition of murder, *&c.* to put in writing the effect of the evidence to the jury, and certify the ſame. BAIL, 6.

Coroner, *&c.* to bind deponents by recognizance to appear. *ibid.*

Juſtices of goal delivery may fine coroner offending *ibid.* 7.

Corporations and towns corporate.

23 *H.* 6. *c.* 15. *Eng.* Penalty on chief officer of a corporation making falſe returns of members of parliament. PARLIAMENT, 17.

10 *H.* 7. *c.* 7. Penalty on any city, *&c.* ſuffering any perſon to be alderman, *&c.* but ſuch as have been apprentices or continually reſident in the corporations. CORPORATIONS, &c. 1.

Corporations and towns corporate.

All acts in corporations contrary to the King's prerogative, shall be void. *ibid.*

17 & 18 *C.* 2. *c.* 2. Authorizing lord lieutenant, to make rules for regulating corporations and electing magistrates, and the several rules, commonly called *The New Rules*, established by virtue of the power. CORPORATIONS, &c. 2. to 14.

2 *G.* 1. *c.* 19. On death, *&c.* of an alderman, *&c.* corporation in what time to proceed to elect. *Vide post.* 1 *G.* 2. *c.* 9. *ibid.* 12.

4 *G.* 1. *c.* 3. Oath required by the new rules taken away, and no forfeiture of office in corporations shall incur for not having taken the oath. *ibid.* 13, 14.

1 *G.* 2. *c.* 9. None to vote, *&c.* who is not six months free, unless he came in by service, *&c.* *ibid.* 15.

Time for choosing aldermen, *&c.* enlarged to 31 days. *ibid.* 16.

Penalty on magistrates offending in not giving notice of the time for the election. *ibid.*

Penalty how to be applied, and within what time recoverable. *ibid.* 17, 18.

19 *G.* 2. *c.* 12. Where corporations do not elect officers in the time by charter, *&c.* they shall not be dissolved, and how and in what manner they shall proceed to an election. *ibid.* 19 to 33.

If they do not elect pursuant to this act, *mandamus* may issue to require them to proceed to an election, and proceedings on return of such *mandamus*, vide *mandamus*. *ibid.* 19, 20.

The officers elected shall take the usual oaths, and at what time, and before whom. *ibid.* 27.

What number of persons required to be present and concur in such election. *ibid.* 28.

All such officers before they act must be first approved by the lord lieutenant and council. *ibid.* 29.

Penalty on and disability of chief officers of corporations, *&c.* absenting from or hindering election in corporations. *ibid.* 30.

Corporations saved from dissolution for not electing, *&c.* officers before this act. *ibid.* 31.

This act not to invalidate any former charter granted to any corporation. *ibid.* 32.

Where *mandamus* shall issue, return shall be made to the first writ. *ibid.* 33.

21 *G.* 2. *c.* 10. Persons elected duly into offices and franchises in towns corporate or boroughs not being cities, shall not be ousted, or prosecuted for non-residence. *ibid.* 35.

1 *G.* 3. *c.* 11. Justices acting under charters of cities, *&c.* contrary to their duty disabled to act. *ibid.* 36.

Trial for such offences to be had in an indifferent county. *ibid.* 37.

1 *G.* 3. *c.* 17. Issues for tolls or customs claimed by corporations to be tried by a jury of an indifferent county. *ibid.* 39.

No ouster of officers duly elected, if they have taken the oaths required by law. *ibid.* 40.

Schedule of tolls to be hung up in market-houses. *ibid.* 41.

Penalty for taking tolls not comprized in such schedule. *ibid.* 42.

Fuel exempted from payment of all tolls or customs, *ibid.* 43.

Corpus cum causa.

2 *H.* 5. *Stat.* 1. *c.* 2. *Eng.* If *corpus cum causa* be granted to remove a person in execution, he shall be remanded. CORPUS CUM CAUSA, 1.

9 *W.* 3. *c.* 38. No writs, except error or attaint to remove any cause, *&c.* shall be allowed, *&c.* except the same be delivered before issue or demurrer joined unless the same be joined in six weeks after arrest or appearance. *ib.* 2.

When remanded by *procedendo* the action shall never be removed again before judgment. *ibid.* 3.

No action to be moved out of said courts not concerning freehold, *&c.* if the demand amount not to 5*l.* except by error, *&c.* *ibid.* 4.

Writs issued contrary may be refused, *&c.* *ibid.* 5.

Costs.

3 *H* 7. *c.* 15. Defendant in *Error* to have costs on affirmance of judgment, discontinuance or nonsuit. DAMAGES, &c. 4.

10 *C.* 1. *sess.* 2. *c.* 17. Costs on non performance of *covenants*. DAMAGES, &c. 5. SUITS, 10.

10 *C*, 1. *sess.* 2. *c.* 17. Costs recoverable in actions of *debt*. DAMAGES, &c. 5.

10 & 11 *C.* 1. *c.* 8. Defendants to have costs in *ejectment* on nonsuit or verdict for defendants. *ibid.* 8.

9 *W.* 3. *c.* 35. / 4 *G.* 1. *c.* 13. Costs to be awarded on judgment on *demurrer*, either for plaintiff or defendant, at discretion of the judges, and how recoverable. SUITS, 4, 13.

11 *G.* 2. *c.* 6. Costs to be paid on *amending* pleadings for clerical mistakes. PLEADINGS, 38.

Cottages.

1 *Ann. c.* 32. *Eng.* Lease may be made of one cottage under 30*s. per ann.* and two acres to one day labourer, and if otherwise made shall be void, lessor and lessee to forfeit treble the value. COTTAGES.

Cotton and Cotton wool.

12 *C.* 2. *c.* 18. *Eng.* To what places cotton wool of the growth of *English* plantations shall be imported. PLANTATIONS, 1.

17 & 18 *C.* 2. *sess.* 5. *c.* 13. The dimensions and weight required in cottons, *&c.* DRAPERY. 20.

4 *G.* 2. *c.* 15. To what places cotton, *&c.* of the growth of the plantations in *America*, shall be imported. PLANTATIONS, 32.

5 *G.* 3. *c.* 1. Additional duties on cotton or cotton and linen mixed imported except of *British* manufacture. CUSTOMS, 407.

Covenants.

10 *C.* 1 *sess.* 2. *c.* 15. Like process shall be in writs of covenant as in actions of debt. PROCESS, 9.

7 *W.* 3. *sess.* 1. *c.* 25. Recognizance to be entered into for damages, *&c.* on bringing writ of error on judgments in covenant. ERROR, 9.

9 *W.* 3. *c.* 35 Plaintiff may on bond to perform covenants assign several breaches and have damages for such as are proved. SUITS, 10.

In what manner damages may be assessed on judgments on demurrer or by default in actions of covenant. *ibid.*

Covenants.

Execution to be ſtayed on paying the damages. *ibid.*

Where on execution executed, plaintiff ſhall be ſatisfied the debt and damages to the amount of the penalty, ſatisfaction ſhall be entered on the roll, and defendant and lands, *&c.* to be diſcharged. *ibid.*

Where the damages fall ſhort of the penalty, the judgment ſhall remain as a ſecurity for further damages on future breaches of covenant, to the extent of the penalty. *ibid.*

County and turn.

9 *H.* 3. *c.* 35. *Magna Charta Eng.* } County courts and ſheriffs
31 *E.* 3. *Stat.* 1. *c.* 15. *Eng.* } turns when to be held. COUNTY AND TURN. 1, 6.

52 *H.* 3. *c.* 10. *Marlb. Eng.* What perſons excuſed from appearing at the ſheriffs turn. *ibid*

3 *E.* 1. *c.* 33. *Weſtm.* 1. *Eng.* Barretors, *&c.* not to do ſuit, nor ſtewards not being attornies to their lords, unleſs requeſted by the ſuitors. *ibid.* 3.

13 *E.* 1. *c.* 13. *Weſtm.* 2. *c.* 1. *Eng.* In what manner ſheriffs ſhall make inqueſts in their turns, and proceed on the inquiſitions. *ibid.* 4.

1 *E.* 3. *c.* 17. *Eng.* In what manner indictments in turns ſhall be taken. *ibid.* 5.

6 *G.* 1. *c.* 6. Sheriffs court, leet or county court, where and when to be held. *ibid.* 7.

3 *G.* 2. *c.* 7. Penalty on barony clerk holding county courts. SHERIFFS, 33.

Couſinage.

6 *E.* 1. *c.* 1. *Eng. Gloc.* In writs of couſinage, *&c.* damages to be awarded. DAMAGES, &c. 1.

13 *E.* 1. *c.* 20. *Eng. Weſt.* 2. In writs of couſinage, *&c.* in what manner tenants to anſwer. COUSINAGE.

10 *C.* 1. *ſeſſ.* 2. *c.* 6. Seizin of one's anceſtors ſhall be within fifty years before the *teſte* of the writ of couſinage, *&c.* LIMITATIONS, 3.

Cui in vita.

13 *E.* 1. *c.* 3. *Weſt.* 1. *Eng.* Writ of entry *cui in vita*, &c. lies for the wife for lands loſt by default of the huſband. CUI IN VITA.

Wife may be admitted to defend in the life of the huſband if ſhe comes before judgment. *ibid.*

Like privilege to the reverſioner where tenants by the curteſy, in dower, *&c.* make default. *ibid.*

Cuſtoms and exciſe.

14 *E.* 3. *c.* 21. *Eng.* Half a mark to be paid as cuſtom for a ſack of wool. CUSTOMS, 1.

4 *H.* 4. *c.* 20. *Eng.* Every cuſtomer, *&c.* to be ſworn to render a true account, *&c.* *ibid.* 5.

11 *H.* 4. *c.* 2. *Eng.* } None that holdeth a common hoſtry
13 *H.* 4. *c.* 5. *Eng.* } ſhall be a cuſtomer, *&c.* and penalty on officers being abſent, *&c.* for more than three weeks. CUSTOMS, &c.

3 *H.* 6. *c.* 3. *Eng.* Penalty on officers concealing cuſtoms. *ibid.* 9.

Cuſtoms and exciſe.

11 *H.* 6. *c.* 15. *Eng.* Penalty on cuſtomers refuſing to deliver the merchant a warrant, *&c.* of the goods to them ſhewn without fee. *ibid.* 10.

25 *H.* 6. *c.* 3. Cuſtoms not to be levied, *&c.* but in cities. *ibid.* 12.

14 *H.* 7. *c.* 1. All Engliſh acts for puniſhing cuſtomers, *&c.* in force in Ireland. *ibid.* 17.

14 & 15 *C.* 2. *c.* 9, Book of rates eſtabliſhed for law. *ibid.* 22.

Poundage to be paid for commodities imported, *&c.* and on native commodities exported, *ibid.*

Tunnage to be paid on wine and oil imported by natural born ſubjects, *&c.* priſage, *&c.* excepted. *ib.* 23.

On loſs of goods, that paid cuſtom, denizens may ſhip as much free. *ibid.* 24.

Penalty on owners, *&c.* landing, *&c.* without licence, *&c.* *ibid.* 25.

The like for landing goods without entring into bond, and anſwering on oath, *&c.* *ibid.* 26.

14 *C.* 2. *c.* 9. Book of rates, for payment of ſubſidy of poundage, eſtabliſhed. *ibid.* &c. 22.

Twelve pence of the value of every twenty ſhillings of goods imported or exported by ſubjects to be paid. *ibid.*

One ſubſidy more of twelve pence in the pound to be paid by aliens for goods exported. *ibid* 23.

Tunnage for wines imported by ſubjects and by aliens. *ibid.*

Goods exported by ſubjects and loſt at ſea, the owners may ſhip as much free of duty. *ibid.* 24.

Penalty of ſhipping goods before ſuch intention is ſignified to the officers. *ibid.* 25.

Departing out of port before declaration on oath to the officers, forfeiture. *ibid.*

Penalty for diſcharging or landing goods before bond given not to depart without being cleared. *ibid.*

Bill of lading and declaration of not having broken bulk. *ibid.*

Anſwering on oath to queſtions concerning goods on board. *ibid.*

Penalty of one hundred pounds on the owners or maſters of ſhips refuſing. *ibid.*

Times and places appointed for lading and diſcharging goods. *ibid.* 26.

Forfeiture of one hundred pounds for offending. *ibid.*

Mariners, *&c.* offending, forfeit treble the cuſtoms of ſuch goods. *ibid.*

Fine goods to be put into warehouſes. *ibid.*

Goods not un-laden in twenty-eight days, to be put into the ſtores. *ibid.*

Perſons, refuſing to permit goods to be ſecured, forfeit one hundred pounds. *ibid.*

Satisfaction to be made for goods embezzled or ſpoiled. *ibid.* 27.

Security to be taken from officers. *ibid.*

Goods, laden or un-ſhipped before due entry and warrant, forfeited. *ibid.*

Boats or lighters taking in goods without a note from an officer, forfeited. *ibid.* 28.

Officers to remain on board ſhips 'till goods are unladen. *ibid.*

Cuſtoms and exciſe.

Penalty for not permitting officers to come or remain on board. *ibid.* 29.

Goods concealed on board after officers are diſcharged, the penalty. *ibid.*

Entries how to be made by merchants, importing or exporting goods. *ibid.* 30.

Short entries of the quantity or quality of goods a forfeiture. *ibid.*

Carrying prohibited, a forfeiture of the goods. *ibid.* 31.

Declaration to be made before ſhipping goods. *ibid.*

Bond to be given in double the value of goods. *ibid.*

Goods ſhipped, before declaration and bond, forfeited. *ibid.*

Certificate of diſcharge from the officer of the port where goods are landed. *ibid.*

Penalty on merchants not making entries, *&c.* *ibid.* 32.

Reſtrictions as to carrying prohibited goods, *&c.* and the exporters to enter into bonds which collectors are obliged to accept. *ibid.* 33.

Goods duly landed, *&c.* carried to any other port, the merchant, *&c.* to take a certificate, *&c.* and if landed in any other port, forfeited. *ibid.*

Officers, *&c.* may ſearch ſhips, *&c.* for prohibited goods, *&c.* *ibid.* 34.

All defaults againſt this act ſhall be heard, *&c.* by the barons of the exchequer, *&c.* *ibid.* 35.

No proſecution to be till ſeizure be regiſtred. *ibid.* 36.

Proſecutor delaying, *&c.* commiſſioners may appoint a proſecutor and proceed. *ibid.*

Lord lieutenant to have 20 tuns of wine duty free, privy and King's counſel likewiſe to have wine duty free at diſcretion of lord lieutenant. *ibid.* 37.

No town bargain ſhall be required from merchants. *ibid.* 39.

No petty cuſtoms to be paid to any city, *&c.* more than by ancient preſcription, except granted by patent, *&c.* *ibid.* 40.

Rules for advancement of trade, *&c.* annexed to ſaid book of rates.

1. Liberty to break bulk, and pay cuſtom for no more than entered and landed, on declaring contents on oath, *&c.* *ibid.* 41.

2. Stranger's goods not ſhipped in native's name. *ibid.* 42.

3. Denizens, unleſs conſtantly reſident pay alien's cuſtom. *ibid.* 43.

4. Drawback of half cuſtom on foreign imports (ſave wine, tobacco, *&c.*) on re-export by ſubjects in twelve months, ſtrangers in nine, and officer's certificate, and merchants oath. *ibid.* 44.

5. Imports duty paid, property not altered, after a year may be exported cuſtom free. *ibid.* 45.

6. No allowance for corrupt tobacco: burnt on refuſal to enter and pay duty. *ibid.* 46.

7. 10 *per cent.* leakage on wines: if not filled up on ſhipboard. *ibid.* 47.

8. 5 *per cent.* on other imports. *ibid.*

9. Where 7 inches not left in hogſhead of wine, in a butt 9, no ſubſidy. *ibid.* 49.

Cuſtoms and exciſe.

10. Abatement in ſubſidy for unmerchantable wines by diſcretion. (*altered* 33 G. 2. c. 10. ſect. 39) *ib.* 50.

11. And for damaged imports (except tobacco) in proportion, on certificate of 2 merchants on oath. *ibid.* 51.

12. Old drapery, bayes, and cottons exported: 1 in 10, for a wrapper, free. *ibid.* 52.

13. Chief governor and council may appoint a port in each province, for ſtrangers, on compoſition for all cuſtoms, to lay up imports in warehouſes appointed. till exported free ſave warehouſe room. *ibid.* 53.

14. Officers hours of attendance. *altered* 33 G. 2. c. 10. ſect. 101. *ibid.* 54.

15. Searchers, *&c.* ſhall give ſpeedy notice of ſhips to the collector. *ibid.* 55.

16. A ſhipper's book outwards and inwards, in every cuſtom-houſe for entries before lading or diſcharge. *ibid.* 56.

17. Maſter or purſer to deliver on oath a bill of lading inwards. *ibid.* 57.

18. Maſters ſhall enter ſhips outwards before lading, and give notice thereof, *&c.* before departure, and anſwer on oath. *ibid.* 58.

19. Entry, cocquet, *&c.* made openly in cuſtom-houſe. *ibid.* 59.

20. Merchants diſpatched in turn, and not delayed for gratuity, on pain of forfeiture of office. *ibid.* 60.

21. Exporter to make particular entry by bill, entered by collector and comptroller, and the value and cuſtoms charged. *ibid.* 61.

22. Goods allowed for ſtore, tho' valued by the book free, and entered apart. *ibid.* 62.

23. Searcher ſhall examine goods by the cocquets, *&c.* *ibid.* 63.

24. Every merchant a particular cocquet, dated the day of entry. *ibid.* 64.

25. Entries by licenſe indorſed thereon: the date, *&c.* entered in the proper books. *ibid.* 65.

26. Goods cuſtomed outwards, and not put in the ſhip named, may on certificate and oath be put in another. *ibid.* 66.

27. Merchants to enter inwards particularly, by bills under their hands; the value and cuſtoms, *&c.* indorſed by collector, and entered by him and comptroller; and an other by them ſubſcribed, a warrant for diſcharge. *ibid.* 67.

28. Merchants ſwearing they cannot perfectly enter, the goods entered at ſight, *&c.* *ibid.* 68.

29. Goods ſuffered to lye above 7 days without entry or clearing, warehouſe-room paid. *ibid.* 69.

30. In Dublin commiſſioners, in other port collector, to nominate waiters to ſhips going or coming to ſee goods in warrants cleared. Penalty 5 *l.* on officers not attending. *ibid.* 70.

31. Waiters, *&c.* to make entries only in books given to them; to be delivered to commiſſioners or collectors. *ibid.* 71.

32. Searcher or ſurveyor to enter ſhips, *&c.* *ibid* 72.

33. Ships outward without juſt ground not detained above 1 tide, or forfeiture of office and damages, unleſs by weather, *&c.* *ibid.* 73.

Customs and excise.

34. Officers consenting or knowing illegal shipping or landing, forfeit 100 *l.* and places. *ibid.* 74.

35. Making cocquet contrary to entry, forfeiture of place. *ibid.* 75.

36. Respective officers to be careful to seize. *ib.* 76.

37. Seizures warehoused till warrant to release. *ib.* 77.

38. Officers seizing shall acquaint commissioners, and certify circumstances to register. *ibid.* 78.

39. No composition for seizures without warrant. *ib.* 79.

40. All discharges, *&c.* on seizures registered: and the King's money paid to collector. *ibid.* 80.

41. Appraisements delivered to register to be examined and entered: if too great under value, new appraisement. *ibid.* 81.

42. Coast-bonds delivered quarterly into exchequer, with the certificate indorsed. *ibid.* 82.

43. Also all bonds expired, and for which no certificate returned; that process may issue. *ibid.* 83.

44. Collectors to send monthly abstracts and quarterly accounts to commissioners, delivered half yearly to auditor; and yearly swear thereto, and adjust accounts in Dublin. *ibid.* 84.

45. Commissioners to inspect all officers accounts, *&c.* whenever they see cause. *ibid.* 85.

46. Commissioners, or some, to visit out-posts yearly; and give instructions from time to time with approbation of chief governor, *&c.* *ibid.* 86.

47. No more than 7 commissioners, nor less than 5, appointed by chief governor, *&c.* of known ability and experience, under great seal; during pleasure, and make oath before lord chief baron (or lord chancellor, or a judge, by 33 *G.* 2. *c.* 10. *sect.* 118.) *ibid.* 7.

48. No commissioner or custom-officer to have a ship, trade, or be factor or host to a merchant, *&c.*

49. Officers to attend diligently for dispatch of merchants, without damage to the King's customs. The act of navigation 12 *G.* 2. *c.* 18. *Eng.* to be duly observed. *ibid.* 89.

A table of officers fees in the several ports. 14 & 15 *G.* 2. *c.* 9. *ibid.*

50. Where, by smallness of trade, fees insufficient, chief governor, *&c.* may establish a salary out of exchequer. *ibid.* 90.

51. Fees of taster and surveyor of outs and defects, for larger vessels 6d. smaller 3d. *ibid.* 91.

52. Foreign silks (save from England and Wales) pay a third more than in book of rates. *ibid.* 92.

53. Plantation-goods from England or Wales pay but half custom: wine and tobacco from England or Wales pay so much only as repaid of the duties in England on export: all other foreign goods (save from England or Wales) pay one third more than in book of rates. Aliens pay double on import or export. *ibid.* 93.

54. French ships pay 5 s. *per* tun duty, as long as the duty in France on English ships continued, and 3 months after. *ibid.* 94.

14 *G.* 2. *c.* 8. Duty of 4d. *per* gallon payable on *aquavitæ*, and drugs to pay 2s. and hemp, flax, tar, rosin, pitch, wax, cables, yarn, and cordage, 6d. *per* pound. *ibid.* 95.

Customs and excise.

Wine, tobacco, silk, salts, and all goods, *&c.* not specified in the book of rates, except jewels, bullion, corn, victuals, arms and ammunition, imported, to pay 12d. *per* pound *ster.* *ibid.* 101.

To be paid by first buyer, *&c.* or by the owner on landing them. *ibid.* 103.

Goods landed, *&c.* without entry or in undue time, *&c.* to be forfeited, and the value. *ibid.* 105.

Penalty on owners, *&c.* taking charge of any ship, delivering or permitting goods to be shipped or landed at other times or places than are appointed by this act, and such goods to be forfeited. *ibid.* 106.

Penalty on persons privy to such shipping or landing. *ibid.*

Penalty on warfingers, *&c.* taking up, *&c.* any goods but in presence of an officer of excise. *ibid.* 108.

Penalty on porters, carmen, *&c.* conveying goods, *&c.* landed without entry. *ibid.* 109.

Officers, *&c.* may seize coaches, *&c.* conveying run goods, and the same and the value to be forfeited. *ibid.* 110.

Goods outwards and inwards to be entered in the name of the true importer, on pain of forfeiture. *ibid.* 111.

Importers, except retailers, *&c.* to give bonds for payment of the excise before delivery of their goods and refusing such bond in such case how the collector is to proceed, *ibid.* 112.

Merchants, *&c.* to certifie after sale of exciseable commodities the quantity, *&c.* sold, and to pay the excise. *ibid.* 113.

Barter or exchange of such goods shall be deemed a sale, and be subject to excise and penalties. *ibid.* 114.

Penalty on shop-keepers, *&c.* landing, *&c.* goods before entry, and the goods not to be carried away till the excise be paid. *ibid.* 115.

Importers declaring upon oath, *&c.* that they know not the quantity, *&c.* of goods on board, commissioners may grant licence to bring the goods to the custom-house key to be viewed. *ibid.* 116.

Penalty on any owners, *&c.* of a coasting vessel receiving or delivering, *&c.* any exciseable goods at any unseasonable time, *&c.* *ibid.* 117.

Owners, *&c.* after landing, *&c.* not to go without a *transire*, *&c.* and not to land any goods at the port they go to before delivery thereof to the officer there. *ibid.* 118.

Oath to be made that no other goods were since granting the *transire* shipped, *&c.* and the landing to be certified on the back of the *transire*. *ibid.*

Retailers, *&c.* shipping goods coastways to take certificate thereof and deliver the same to the officers at the respective ports. *ibid.* 119.

Chief excise office to be kept in Dublin by five commissioners, *&c.* which commissioners, *&c.* may appoint other officers, *&c.* *ibid.* 136.

City and county of Dublin to be in jurisdiction of said office. *ibid.* 138.

Like office to be managed by sub-commissioners in all other counties, *&c.* and their oath and allowance. *ibid.* 139.

Cuſtoms and exciſe.

Officers by day or night may enter ſhips. &c. houſes, &c. and ſtay till the ſhip is diſcharged, and ſeize all goods, &c. put on board, &c. without entry, &c. *ib.* 141.

Goods ſeized and not claimed by the owner in 21 days forfeited, &c. If claimed and not duly entered, &c. ſhall be forfeited. *ibid.*

Penalty on maſter, &c. refuſing officers to enter, &c. on board ſhips, and on porters, &c. aſſiſting ſuch maſters, &c. *ibid.*

Commiſſioners to keep an import account with merchants, &c, *ibid.* 142.

The import accounts to be balanced once in 3 months, &c. and on refuſal in 4 days the merchant to be charged with all the exciſe. *ibid.*

The merchant ſhall make oath, &c. as to the goods remaining, &c. and perſons refuſing entrance for ſearch to forfeit 100*l.* *ibid.*

Commiſſioners to determine all breaches on this act, &c. and may proceed *ex parte* on parties neglecting, &c. to appear. *ibid.* 145.

Penalty on witneſſes refuſing to appear, &c. *ibid.*

On any breach, &c. confeſſed or proved by one witneſs, &c. commiſſioners to give judgment, &c. *ibid.*

On default of diſtreſs may commit offender to priſon. *ibid.*

Commiſſioners, &c. to commit offender to houſe of correction for any fine above 10*l.* *ibid.* 146.

Sheriffs, &c. to receive ſuch offenders, &c. *ibid.*

Penalty on ſheriff making replevin of diſtreſſes, &c. *ibid.*

None to be charged with penalty, &c. unleſs complained of in 6 months. *ibid.* 147.

To whom perſons aggrieved may appeal. *ibid.* 148.

Commiſſioners of appeal may ſend for parties, &c. and hear, &c. confirm or reverſe judgments, &c. *ibid.*

Commiſſioners to inſtruct and fine officers, &c. *ibid.* 149.

Commiſſioners, &c. may adminiſter oaths, and perjury and ſubornation of perjury puniſhable as by 28 *E.* and may be tried at aſſiſes, &c. *ibid.* 150.

Sales made of diſtreſs after 6 days, except, &c. and of other goods ſeized and not claimed in 21 days, on public notice, good, &c. *ibid.* 151.

All charges deducted, a moiety of the ſeizures, &c. ſhall be to the King, and the other to the informer. *ibid.* 152.

Acceſſories diſcovering, &c. ſhall have a moiety of the ſeizures. *ibid.* 153.

Sheriffs, mayors, &c. to be aſſiſting, &c. *ibid.* 154.

The premiſſes not to be leaſed by the King without advice, &c. *ibid.* 155.

The revenue granted in fee to the King, &c. *ibid.* 156.

5 *G.* 1. *c.* 11. *Brit.* Forfeiture on importing wrought ſilks of Perſia, China, or Eaſt-India, from any other place than Great Britain, and penalty on officers of the cuſtoms conniving at the importation, &c. *ibid.* 167.

6 *G.* 1. *c.* 21. *Brit.* Duty and power of officers in relation to ſhips hovering on the coaſts of Ireland with cuſtomable or prohibited goods. *ibid.* 168.

12 *G.* 1. *c.* 28. *Brit.* Relating to drawbacks, &c. *ibid.* 170.

Cuſtoms and Exciſe.

1 *G.* 2. *c.* 7. What time aids granted to the King by duties, &c. are to continue after demiſe of the King, &c. *ibid.* 176.

3 *G.* 2. *c.* 3. The duty on wool, bay yarn and woollen yarn, exported to England taken off. *ibid.* 177.

33 *G.* 2. *c.* 10. Act of laſt ſeſſion, and acts continued after 24th *June* 1760, repealed. *ibid.* 178.

Goods not valued in the book of rates. *ibid.* 179.

Rates and value of goods ſpecified in Stat. 1. *G.* 2. for cuſtom 12d. in the pound, for exciſe the ſame. *ibid.*

On expiration of this act, goods not rated in the book of rates, pay duties according to law. *ibid.* 180.

Wool, bay yarn, and woollen yarn, exported to *England*, free from poundage. *ibid.* 181.

All linen made in *Germany* or *Sileſia*, and after bleached in *Holland*, ſhall be rated as *Holland* linen. *ibid.* 182.

Germany or *Sileſia* linens, not above 3 quarters and half broad, accounted lawns, and pay duty as ſuch. *ib.* 183.

Goods not rated in the book of rates, or by act 1 *G.* 2. pay duty *ad valorem*. *ibid.* 184.

Manner of valuing ſuch goods as pay duty of exciſe, and for preventing frauds in trade. *ibid.*

Shrub and other mixed ſpirits to pay duty as ſingle ſpirits. *ibid.* 185.

Iron immerſed in copper mine, or water impregnated with copper, to pay duty as copper ore. *ibid.* 186.

Maſters to deliver their own and ſhips name, and where bound, under penalty of 100*l.* *ibid.* 187.

Maſters, within 48 hours after requiſition to deliver a true account of his lading, penalty 100*l.* *ibid.* 188.

Proviſo for invoicing and going to any other port. *ibid.* 189.

Where officers are wanting on the arrival of ſhips in port, collectors may employ other perſons to take charge of ſhips. *ibid.* 130.

Such perſons are frequently obſtructed. *ibid.*

Remedy provided, and penalty inflicted of 50*l.* *ibid.*

Goods not invoiced and found concealed 24 hours after invoice, liable to forfeiture. *ibid.* 191.

Exciſeable goods not to be unſhipped or taken in at ſea, in order to be landed, on pain of forfeiting treble value. *ibid.* 192.

No goods for ſale to be imported or exported in packet boats, without licenſe from the commiſſioners of the revenue. *ibid.* 193.

Veſſels or boats under twenty-five tuns burthen to be forfeited, if exciſeable goods are unlawfully unſhipped or landed out of them. *ibid.* 194.

Seizures made of ſtrong waters, ſpirits, or brandy imported in caſks under 50 gallons gauge, to be preſented before the commiſſioners, &c. of exciſe. *ibid.* 195.

No tobacco to be imported in any package leſs than 425 pounds weight, on pain of forfeiture. *ibid.* 196.

Merchantable tobacco and tea, ſeized and condemned to be ſold by cant, on publick notice given four days before ſale, and the purchaſer to pay his Majeſty's duties for the ſame, and the ſeizing officer to be rewarded out of the revenue. *ibid.* 197.

Officers neglecting their duty to forfeit 20*l.* Proſecution to be in 8 months after neglect. *ibid.*

Customs and Excise.

No goods (that are not of the growth, product, or manufacture of the Isle of Man) to be brought into this kingdom, under the penalty of forfeiting the ship, &c. and all the goods. If the goods cannot be seized, the master, &c. to forfeit the value. *ibid.* 198.

Clause for registering all boats from Wexford to Londonderry, both inclusive. Permits to be taken out on going to the Isle of Man. *ibid.*

Proviso, during the season of the herring fishery. *ibid.* 199.

Boats not registered, or sailing to the Isle of Man without permit, forfeited. *ibid.* 200.

Boats registered, to have the owners name on the transum, under penalty of 5*l* *ibid.* 201.

Ships, &c. seized and condemned, to be publickly sold by cant. Sales in the city of Dublin to be in the Tholsel. Produce to be divided between his Majesty and informer. *ibid.* 202.

Penalty on collector, &c. neglecting his duty, 50*l.* to be recovered by civil bill. Suit to be commenced within 8 months. *ibid.*

Commissioners of the revenue may purchase such boat, &c. *ibid.* 203.

Penalty of 12*s.* *per* pound on green, and 9*s.* *per* pound on bohea teas, on every person in whose custody the same shall be found, knowing the same was run. *ibid.* 204.

Officers of the revenue secreting exciseable goods, to forfeit 20*l.* and his place. *ibid.* 205.

All contracts for tea clandestinely imported, to be void. *ibid.* 206.

All goods brought from the Isle of Man (not of the growth, &c.) in any boat belonging to this kingdom, and the boat, &c. to be forfeited if found within three leagues of the coast. *ibid.* 207.

Power is given to officers to break open houses (in case of refusing entry) to search for run goods. *ibid.* 208,

Proviso, if any officer is sued for breaking open a house. *ibid.* 209.

If any Person harbours or conceals, or sells or Buys run goods knowingly, to forfeit treble value. *ibid.* 210.

Going with vizards or masks with run goods, and penalties thereof. Proviso, for accomplices making discovery. *ibid.* 211.

Penalty for assaulting officers, or rescuing or damaging goods seized, 100*l.* or 12 months imprisonment for first offence, and transportation for second offence. *ibid.* 213.

Power given to officers to enter houses of retailers of brandy, spirits, or tobacco, and to stock their store. Deemed retailers that sell spirits in less quantities than one gallon, or tobacco under 425 pounds weight. *ibid.* 214.

Persons refusing to permit officers to enter and stock their store-house, &c. to forfeit 50*l.* *ibid.* 215.

Merchants finding their wines corrupt or unmerchantable, may spill the same, or mix with salt, and to be repaid the whole duty. *ibid.* 216.

Compensation to be made the merchant for freight, &c. *ibid.*

Duties of prizage and butlerage not to be diminished. *ibid.* 218.

No allowance to be made for decayed wines, unless imported from the place of their growth. *ibid.* 219.

Customs and excise.

Goods saved out of ships stranded, to be liable to duties, as if regularly imported. *ibid.* 220.

Merchants after payment of duties, suffer goods to lie on custom-house quay in Dublin. Commissioners of the revenue to have power to remove the same within 10 days after landing. *ibid.* 221.

Goods brought into the stores for want of entry, and remain till they perish. *ibid.* 222.

Commissioners, &c. to cause goods in the stores to be sold. *ibid.*

Notice of sale, one month. *ibid* 223.

Goods sent into inland Parts without a permit, forfeited, except spirits, and tea not exceeding 4 pounds. *ibid.* 224.

On Oath of the permit, the entry thereof in the officers book, or an attested copy shall be evidence of the permit. *ibid.* 225.

Fee for a permit according to the weight and value of the goods. Days of attendance for permit officers. *ibid.* 226.

Penalty for counterfeiting permits or coast cockets. *ibid.* 227.

Returning from transportation within 7 years, without license, &c. to suffer death without benefit of clergy. *ibid.* 228.

Drawbacks on wines on exportation *ibid.* 229.

Time given for exportation enlarged. *ibid.*

No drawback to be allowed, unless exported in casks of 50 gallons or more. *ibid* 230.

Goods shipped for exportation, for which drawback given, relanded after without license, except in case of distress, the master and owner to forfeit treble the value. *ibid.* 231.

No drawback or allowance to be made, till master makes oath that the goods are not intended to be relanded. *ibid.* 232.

When bear and barley does not exceed 6d. the stone, distilled liquors may be exported in the usual way: certificate of the quantity shipped off to be given, and repayment to be made of two thirds of the excise, within one month. *ibid.* 33.

Oath to be made, that the same is not intended to be relanded, and the duty of excise has been paid; and that the spirits have not been lowered, after payment of duty. *ibid.* 234.

Bond to be entered into to his majesty, that spirits, &c. shall be exported beyond sea, and not to be relanded in this kingdom. Bond to be delivered to the exporter, to be cancelled. *ibid.* 235.

Master of ship to make oath, that spirits, &c. are not intended to be relanded, &c. *ibid.* 236.

Spirits relanded, or put on board any ship at sea, to be relanded without license, unless in case of distress, the master, &c. to forfeit treble value thereof. *ibid.* 237.

No drawback, unless exported in cask containing not less than 50 gallons. *ibid.* 239.

No duty to be paid for canes or reeds employed in manufactures of this kingdom. *ibid.* 240.

No duty to be paid for dying drugs. *ibid.* 241.

Gaugers and their sureties liable to all money received for duties and penalties. Proviso, the same be received

Cuſtoms and exciſe.

Cuſtoms and exciſe.

under a written order from the collector of the diſtrict. *ibid.* 275.

Selling wine under a gallon deemed a retailer. *ibid.* 276.

Officers of the revenue, with conſent of the chief commiſſioners of exciſe, or any three of them, may take the oath required by law, either before the Perſons now authorized to adminiſter the ſame, or before a Juſtice of the peace, or collector of the diſtrict. *ibid.* 277.

Officers to attend on the cuſtom-houſe quays, from 1ſt October to 1ſt March, from 10 in the morning till 3 in the afternoon, and from 1ſt March to the firſt October, from 9 in the morning to 3 in the afternoon, Sundays and holidays excepted. *ibid.* 278.

Suits brought againſt officers or their aſſiſtants, for revenue matters, the defendants may plead the general iſſue, and give the ſpecial matter in evidence. *ibid.* 279.

Fourteen days notice before trial to be given, of any records that are to be produced in evidence. Officers commiſſions, how to be proved in all ſuits, actions, indictments, or informations brought by or againſt them. *ibid.* 280.

Twenty days notice of trial to be given in all actions againſt officers. If trial is brought on by proviſo, like notice to be given to the plaintiff. *ibid.* 282.

Penalty on offering or giving bribes to officers, to connive at running goods. *ibid.* 283.

The ſeveral abſtracts and quarterly accounts ſent by collectors to the commiſſioners, and the annual accounts ſettled with the accomptant-general, to be allowed as evidence in all ſuits in law and equity, as evidence of debts due to his majeſty from ſuch collectors. *ibid.* 284.

Oath to be taken by every collector, and annexed to to every quarterly account. The oath. *ibid* 285.

Commiſſioners and ſub commiſſioners to have power to ſummon witneſſes reſiding in any diſtrict. *ibid.* 286.

Affidavit to be made, that the perſon intended to be ſummoned, is a material witneſs. Penalty iſſuing ſummons without ſuch affidavit being made, 20l. Penalty on perſons ſummoned neglecting to appear, 20l. *ib.* 287.

Where a claim is rendered, mention to be made at the foot of the claim, of ſome particular houſe within the diſtrict, where notice or ſummonſes ſhall be ſerved, and in default thereof, claim not to be deemed legal or received, and proceedings to be as if no claim made. Notice and ſummonſes to be left with perſons above 16, reſiding at ſuch houſe, to be valid in law. *ibid.* 288.

Affidavit of ſervice to be made. If no perſon reſide at ſuch houſe, on whom notice could be ſerved, upon poſting notice on the door of the houſe 8 days before trial, if the party does not appear, the commiſſioners, *&c.* may proceed to hear and determine the cauſe. *ibid.* 289.

Chief-commiſſioners and ſub-commiſſioners, in their diſtricts, to determine diſputes concerning right to ſeizures. *ibid.* 290.

Sub-commiſſioners to take an oath before hearing a cauſe (if required) that they are not intereſted in the ſeizure. If ſub-commiſſioners refuſe to take the oath, they are diſqualified to hear the cauſe. *ibid.* 291.

Two calendar months allowed for bringing an appeal. *ibid.* 292.

No judgment or ſentence of the commiſſioners or ſub-commiſſioners of exciſe, to be reverſed for any informality, imperfection, or defect in form, either in the information, proceedings, or judgment, before the commiſſioners or ſub-commiſſioners. *ibid.* 293.

Periſhable goods and commodities ſeized, to be ſold 21 days after condemnation, notwithſtanding appeal. *ibid.* 294.

Six days notice to be given, in manner before directed, and produce to be accounted for, and paid to ſuch perſons as are legally intitled to the ſame. *ibid.*

If ſentence of condemnation reverſed, the produce to be paid to the owners, in full ſatisfaction for the goods. *ibid.*

Chief commiſſioners are to take the oaths before the chancellor of the exchequer, or barons of ſaid court, *ib.* or before the lord chancellor, or other the judges of the Four Courts. *ibid.* 295.

No perſon to enter or go on board an Eaſt India or China ſhip, except king's officers and perſons licenſed by the collector of the diſtrict, under penalty of 20 *l.* *ibid.* 296.

Goods found open on board, to be made up in package, and corded and ſealed with lead, with the king's arms, and an account tranſmitted to the commiſſioners in London. Perſons breaking packs or bales, ſo corded and ſealed, forfeit 100 l. *ibid.* 297.

All forfeitures and penalties inflicted by this act, to be ſued for, levied and applied, according to the rules preſcribed by the act of exciſe. *ibid.*

1 *G.* 3. *c.* 7. All Perſons may demiſe ground for houſes or yards for the ſervice of the revenue. *ibid.* 305.

Such demiſes valid notwithſtanding any diſability in the perſons demiſing. *ibid.* 306.

Leaſes to be approved of by the lord chancellor by writing indorſed. *ibid.* 307.

Rents to be paid out of the revenue. *ibid.* 308.

All former patents for commiſſioners of the cuſtoms or exciſe are declared to be valid. *ibid.* 313.

Commiſſioners of the revenue may be appointed either during good behaviour or during pleaſure. *ibid.* 314.

Owners of goods or ſhips ſeized for the breach of exciſe laws may apply for a writ of appraiſement. *ibid.* 315.

Recognizance in double the value of the appraiſement to pay the value and all penalties, *&c.* *ibid.*

Upon acquittal recognizances to be vacated. *ibid.* 316.

3 *G.* 3. *c.* 21. Proviſions relative to permits extended to Snuff, above four pounds weight. *ibid.* 320.

Debenture-goods unlawfully ſhipped or relanded, forfeited. *ibid.* 321.

Maſters of ſhips to accommodate officers ſent on board with beds or hammocks. *ibid.* 322.

No Tea to be imported in package leſs than ten pounds weight. *ibid.* 334.

Goods not to lie on the cuſtom-houſe quay longer than ten days. *ibid.* 335.

Commiſſioners of the revenue authorized to appoint hearth-money collectors. *ibid.* 337.

Contracts for goods clandeſtinely imported void. *ibid.* 338.

No drawback for foreign ſilks, not of the manufacture of Great Britain. *ibid.* 339.

Cuſtoms and exciſe.

5 G. 3. c. 16. Who are to be deemed retailers of ſpirits, malt-liquors, tobacco and tea. *ibid.* 340.

Penalty for concealing ale or ſpirits, &c. unlawfully brewed or diſtilled. *ibid.* 341.

Forfeiture for permitting concealments or aſſiſting therein. *ibid.*

Notice to officers of the arrival of exciſeable goods ſent by permit. *ibid.* 345.

Certificate by the officer of the goods viewed as authentick as the permit. *ibid.*

New permit to be taken at every ſubſequent removal. *ibid.*

Permits to be wrote or printed in plain legible characters. *ibid.* 346.

Permits to contain a deſcription of the goods, and the true names of the perſons ſending, and of the perſons to whom they are ſent. *ibid.*

Time to be limited for the continuance. *ibid.*

Proviſions for unforeſeen accidents in the carriage of goods. *ibid.* 347.

Additional drawback of the inland-exciſe for ſpirits exported. *ibid.* 349.

Requiſites to be performed on ſhipping ſpirits for exportation. *ibid.* 350.

Licence-money for ſelling ſpirits recoverable by civil-Lill. *ibid.* 351.

Juſtices may ſummon perſons ſuſpected of ſelling liquors without licence. *ibid.* 353.

Penalties on conviction of ſuch offenders. *ibid.*

Fees to be paid to collectors on granting licences. *ibid.* 356.

Liquors, and other goods to be removed off the cuſtom-houſe quay in three days, after they ſhall be gauged or weighed. *ibid.* 357

No duty to be paid on importation of Lignum-vitæ. *ibid.* 360.

No duty to be paid on exportation of flour or rape-oil manufactured in this kingdom. *ibid.* 361.

Collectors or their clerks, ſecreting their books of accounts, guilty of felony of death. *ibid.* 363.

Notice how to be given in caſe of abſconding. *ibid.*

Proſecutions to be commenced in two years after the offence committed. *ibid.* 366.

All brandy, rum, and ſpirits (except cordial water) in caſks under 50 gallons. All tea in any package forfeited (except from Great Britain). All tobacco leſs than 500 pounds weight forfeited if found on board ſhip, boat, or veſſel in any harbour, or hovering within 3 leagues of the ſhore, or ſhall be diſcovered ſo to have been, altho' bulk not broke, or any of ſaid goods run or attempted to be run, caſes of unavoidable neceſſity excepted, on giving notice. *ibid.* 367.

Proviſo, for tea, brandy, rum or ſpirits for the uſe of the ſeamen on board. *ibid.* 368.

No Salt of the produce of Great Britain or Ireland to be exported in any ſhip of leſs burthen than 100 ton, and in bulk only, and not in bags or ſacks. *ibid.* 369.

Bonds to be entered into by exporter, that the ſame ſhall be landed in Great Britain or in the Iſle of Man, but in other ports. Certificate to be returned in 6 kalendar months, that the ſame was landed. *ibid.*

Ships laden with ſalt to be carried coaſt-wiſe, not to depart until the maſter, &c. get a cocquet, expreſſing the quantity of ſalt ſhipped, and entering into bond to deliver the ſame at ſome port in this kingdom, and not elſewhere. *ibid.* 370.

Proviſo, where the ſalt ſhall be loſt at ſea, or taken by enemies or pirates, or ſtranded. *ibid.* 372.

Proviſo, not to extend to ſalt put on board for curing fiſh at ſea. Oath to be made that the ſalt is not intended to be landed in Great Britain or the Iſle of Man, but intended for curing fiſh at ſea or harbour. *ibid.* 373.

Not to extend to lading ſo much ſalt as may be neceſſary for proviſion of the crew of any ſhip, or for curing of fiſh. *ibid.* 374.

5 G. 3. c. 29. *Brit.* Drawback on ſilk exported to Ireland. *ibid.* 379.

No raw ſilk to be exported from Ireland. *ibid.* 386.

Forfeiture of the ſilk and the ſhip and tackle. *ibid.*

Maſter knowing and aiding in offence, to be impriſoned three months. *ibid.*

5 G. 3. c. 39. *Brit.* No ſpirits of any kind ſhall be imported from the Iſle of Man into Ireland. *ibid.* 388.

Ships with goods prohibited, found in any port, or hovering within three leagues of the ſhore, forfeited. *ibid.*

Seizures may be proſecuted as is preſcribed for ſeizures in Great Britain. *ibid.* 389.

Goods not liable to ſeizure on board ſhips ſeized. *ibid.* 390.

Bond not to take ſtores or merchandize from the Iſle of Man. *ibid.* 394.

Officer liable to puniſhment, &c. for frauds, &c. here as in Great Britain. *ibid* 395.

Offering bribes to officers, or obſtructing or aſſaulting them. *ibid.*

Perſons ſerved with proceſs, from the courts in Dublin, in the Iſle of Man, obliged to attend. *ibid.* 400.

Penalty for inſuring goods from the Iſle of Man, to be brought to Ireland. *ibid.* 396.

No drawback for goods from Ireland to the iſlands of Faro.

Treble the value of goods landed in the iſlands of Faro, and the Ship and tackle forfeited. *ibid.*

5 G. 3. c. 1. Additional duties granted. *ibid.* 407.

5 G. 3. c. 2. Futher additional, or loan-duties granted. *ibid.* 415.

Cyder.

5 G. 2. c. 2. Ten ſhillings *per ann.* to be paid by every retailer of cyder. *ibid.* 1.

One penny *per* gallon on all cyder, ſold by retail. *ibid.*

No perſon to retail cyder without licenſe. *ibid.* 2.

Officers to enter houſes of retailers of cyder, and take an account of ſtock. *ibid.* 4.

Penalty of refuſing entrance or not ſhewing ſtock. *ibid.* 5.

Penalty of concealment of ſtock. *ibid.*

Damage clear.

7 *W.* 3. *c.* 10. Damage clear is taken away, and clerks demanding the ſame to forfeit treble the ſum. DAMAGE CLEAR.

Damages.

6 *E.* 1. *c.* 1. *Gloc. Eng.* Damages recoverable in aſſiſe of *novel diſſeiſin* and *mortdanceſtor*, on writs of *aiel beſaiel, cozenage* and *intruſion.* DAMAGES, &c. 1.

17 *R.* 2. *c.* 6. *Eng.* Chancellor to award damages to perſons impleaded on falſe ſuggeſtions. CHANCERY, 3.

2 *H.* 5. *c.* 3. *Eng.* Where damages amount to 40 marks, no perſons ſhall be jurors if not poſſeſſed of lands of 40*s. per annum. ibid.* 13.

11 *H.* 6. *c.* 11. *Eng.* On aſſault, *&c.* of lords or commoners coming to parliament, the offender ſhall yield double damages to the party grieved. PARLIAMENT, 12.

15 *H.* 6. *c.* 4. *Eng.* No ſubpœna to be granted till ſurety given to anſwer damages where the matters are not verified on the bill. CHANCERY, 4.

3 *H.* 7. *c.* 15. *Eng.* Where damages ſhall be awarded for delay by writs of error. DAMAGES. &c. 4.

28 *H.* 8. *c.* 22. Carriers wilfully deſtroying the goods under their care ſhall pay the treble value to the owners. CARRIAGE, 1.

33 *H.* 8. *ſeſſ.* 1. *c.* 7. On nonſuit, *&c.* in replevin, *&c.* for damage feaſant, avowant ſhall recover damages. AVOWRY, 5.

—— *c.* 13. On replevin, *&c.* for rent, avowant ſhall recover damages. *ibid.* 8.

8 *Eliz. c.* 1 On reverſal of judgment on convictions for perjury, ſubornation of perjury, *&c.* the parties grieved ſhall recover damages againſt the parties procuring the judgment. PERJURY, 3, 4, 5.

28 *Eliz. c.* 3. Double damages recoverable againſt forgers, *&c.* of deeds. FORGERY, 1, 2.

10 *C.* 1. *ſeſſ.* 2. *c.* 25. Treble damages recoverable from perſons driving cattle diſtrained out of the hundred, except to a pound within three miles, or impounding cattle taken for one diſtreſs in ſeveral places, ſo as to occaſion ſeveral replevins for the ſame diſtreſs. DISTRESS, 14.

10 and 11 *C.* 1. *c.* 10. Perſons indicted for riots, forcible entry, *&c.* ſhall be bound, *&c.* to anſwer damages to be awarded at diſcretion of the juſtices. CERTIORARI, 1.

If ſuggeſtions on which proceſs of the peace or good behaviour are grounded, ſhall be found falſe, courts ſhall at diſcretion award damages to the party grieved. SURETY OF THE PEACE, 1.

17 & 18 *C.* 2. *c.* 2. On affirmance of judgment in writs of error, writ of inquiry ſhall be awarded for the damages, *&c. ibid.* 7.

—— *c.* 13. On defect of freſh ſuit after hue and cry for robbery or felony, the hundred or barony ſhall anſwer half the damages, *&c.* ROBBERY, 12.

7 *W.* 3. *c.* 13. Perſons executing proceſs on Sundays, except in treaſon, felony, *&c.* ſhall anſwer in damages. HOLIDAYS, &c. 20.

7 *W.* 3. *c.* 22. Treble damages recoverable againſt perſons for pound breach or reſcue of goods diſtrained for non-payment of rent. DISTRESS, 21.

4 *An. c.* 5. Judgment on confeſſion of action by the heir without confeſſing aſſets by deſcent, or on demurrer or *nihil dicit*, ſhall be for the debt and damages without any writ to enquire of the lands deſcended. FRAUDS, &c. 28.

4 *An. c.* 9. Perſons buying or receiving timber, *&c.* ſuſpected to be ſtolen, ſhall forfeit the treble value to the perſons from whom they were ſtolen. WOODS, 11.

6 *An. c.* 2. Treble damages recoverable from regiſter of deeds, *&c.* for neglect of duty in his office. REGISTER, 12.

——— *c.* 7. Sheriffs, *&c.* delaying or refuſing to execute any execution, or extorting fees thereon, ſhall pay treble damages, *&c.* EXECUTION, 11. 15.

8 *An. c.* 11. On neglect of proteſting bills of exchange the party neglecting ſhall be liable to coſts, damages, and intereſt. BILLS AND NOTES, 2.

In what caſes drawers of bills of exchange ſhall be liable to damages or not. *ibid.* 5.

In what caſes damages ſhall be recovered on promiſſory notes of bankers, *&c. ibid.* 9.

11 *An. c.* 2. Tenants holding over ſhall pay double the yearly value of the lands to the leſſors. RENTS, 13,

2 *G.* 1. *c.* 11. In treſpaſs, actions for aſſault and battery, and for words, if the damages be under 40*s.* the plaintiff ſhall not recover more coſts than damages, but on certificate of the judge, *&c.* full coſts may be awarded in treſpaſs and actions for aſſault and battery. SUITS, 11, 12.

12 *G.* 1. *c.* 4. Sheriffs, *&c.* ſhall pay treble damages to the party grieved for not anſwering the debts and duties collected by ſuch ſheriffs, *&c.* for the crown. SHERIFFS, 17.

3 *G.* 2. *c.* 14. Artificers, *&c.* in manufactures, *&c.* or ſervants deſtroying, *&c.* their maſters goods ſhall pay double the value. MANUFACTURES, 15.

Days in bank.

51 *H.* 3. Stat. 2. *Eng.* What days given for returns of writs. DAYS IN BANK, 2, 3.

52 *H.* 3. *c.* 12. *Eng.* In dower, *darrein* preſentments and *quare impedit*, how many days to be given in the year, *&c. ibid.* 4.

In a *quare impedit* if diſturber come not in upon ſummons, *&c.* he ſhall be attached, *&c. ibid.*

The ſame law ſhall be obſerved for attachment as for diſtreſſes, *&c. ibid.*

5 *E.* 3. *c.* 6. *Niſi prius* granted in attaint, *&c.* and what days granted by the juſtices of the bench. ATTAINTS, 4. DAYS IN BANK, 11.

11 *E.* ſeſſ. 3. *c.* 2. Trinity term when to begin and how many returns, *&c.* DAYS IN BANK, 5, 6.

Days for returns of writs in real actions, and writs of dower. *ibid.* 7, 8.

Days for return of common writs in Trinity term. *ib.* 9, 10.

Days for return of aſſiſes of *darrein* preſentment, *quare impedit* and attaint. *ibid.* 11.

6 *G.* 1. *c.* 1. How many common days of return in Michaelmas term, and when to begin. *ibid.* 12, 13.

What days ſhall be given, *&c.* in any writ in any real action, other than writs of entry for common recoveries, *&c. ibid.* 14.

What days ſhall be given in writ of dower *unde nihil habet, &c. ibid.* 15.

In

Days in Bank.

In writ of dower, &c. 15 days between the teſte and return of the *venire* ſufficient. *ibid.* 16.

Craſt. Aſcenſ. a good return though not 15 days to *Craſt. Trin.* *ibid.* 17.

In common recoveries, &c. writs of ſummons *ad warrantizandum*, &c. to have five returns. *ibid.* 18.

What days ſhall be given in Michaelmas term for return of common writs. *ibid.* 19.

Juſtices may aſſign ſpecial return days, &c. *ibid.* 20.

The days of return in aſſiſe of *darrein* preſentment, *quare impedit*, and attaint, confirmed. *ibid.* 21.

Deans and Deans and Chapters.

10 *G.* c. 6. Deans, &c. may by conſent, &c. endow vicarages with glebes. GLEBES, &c. 18.

12 *G.* 1. c. 10. Deans, &c. may convey in fee one acre of menſal lands to the uſe of an almſhouſe erected by them. CHARITABLE USES, 2.

11 *G.* 2 c. 15. In what caſes leſſees ſhall be exempt from loſs or penalty for not entering counterparts of church leaſes in regiſtry books of deans, deans and chapters, &c. LEASES, 33.

21 *G.* 2. c. 8. Rights of deans, &c. on union of churches ſaved to benefices and deans required to be reſident in churches ſo united, and to be ſubject to the ſame juriſdiction. UNION OF CHURCHES, 23.

Conſent of deans and chapters required under charter ſeal for changing cathedral churches into cathedral and parochial. CHURCHES, 23.

On changing ſuch cathedral churches the former deans and deans and chapters, &c. ſhall be members of ſuch cathedral and parochial churches. *ib.* 25.

Such cathedral and parochial churches and the churchyards ſhall be repaired out of the œconomy fund of the deans and chapters. *ibid.* 28.

Saving for the rights of deans, deans and chapters to the ancient ſcite of ſuch cathedral churches, &c. *ib.* 33.

Debentures, See National debt.

Debt and debtors.

25 *G.* 2. c. 8. In what manner mutual debts may be ſet againſt each other in ſuits at law. DEBTS, 1.

5 *G.* 3. c. 23. Act for relief of inſolvent debtors, whereby creditors by decree or judgment may ſue out new execution notwithſtanding diſcharge of debtors, againſt goods or lands the debtors may be afterwards ſeized or poſſeſſed of. DEBTORS, 31.

Debt to and from the King.

9 *H.* 2. c. 8. *Eng. Mag. Ch.* In what caſe the King, &c. ſhall not levy debt upon lands, &c. DEBT TO AND FROM THE KING, 1.

c. 18. *Eng. Mag. Chart.* On death of King's debtor King to be preferred to the executor. *ibid.* 2.

3 *E.* 1. c. 19. *Eng. Weſt.* 1. Penalty on ſheriff, &c. receiving the King's debts and not diſcharging the debtor, &c. *ibid.* 3.

Debts to and from the King.

Upon payment, &c. proceſs to be ſhewed without fee, &c. *ibid.*

28 *E.* 1. c. 12. *Eng.* Beaſts of the plough not to be diſtrained, &c. for the King's debt if other diſtreſs can be found, and exceſſive diſtreſs not to be taken, &c. and on ſurety the diſtreſs to be releaſed. *ibid.* 5.

3 *E.* 1. c. 32. *Eng. Weſt.* 1. Such as take things for the King's uſe upon credit, and when they have received their payment withhold it from their creditors, it ſhall be levied, &c. and paid to their creditors with damages. DEBT TO AND FROM THE KING, 4.

If they have no lands, &c. to be impriſoned, &c. *ibid.*

Such as take part of the king's debts of the creditors to make payment, ſhall pay double, &c. *ibid.*

Deceit.

3 *E.* 1. c. 29. *Eng. Weſt.* 1. Diſability and penalty on perſons acting in deceit of the court. PLEADINGS, 2.

2 *E.* 3. c. 17. *Eng.* Writ of deceit maintainable in garniſhment touching plea of land as in caſe of ſummons. DECEIT.

Decies Tantum.

38 *E.* 3. c. 12. *Eng.* Jurors receiving rewards for their verdict, to forfeit ten times the ſum. JURIES, &c. 10.

Declaration.

Declaration againſt popery, *ſee* OATHS.

Deeds. See Frauds, Trial.

Deer and Deer Stealers.

10 *W.* 3. c. 8. Penalty on any ſhooting a deer except on his own ground, or on the ground of his maſter, (being a proteſtant) and that by warrant. DEER STEALERS, 2.

Penalty on any killing any male deer before the 10th of June, unleſs of his own, or any male fallow deer after Michaelmas yearly. *ibid.* 3.

11 *A.* c. 7. None without conſent of the owner to kill red deer, &c. on pain of 40 s. Offenders to be puniſhed, &c. DEER STEALERS, 4.

Juſtices of peace, &c. may ſearch for veniſon, &c. and offenders not giving a lawful account, &c. to be fined. *ibid.* 5.

7 *G.* 2. c. 8. Penalty on and impriſonment of perſons who ſhall unlawfully chaſe any red or fallow deer in any park, &c. DEER STEALERS, 7.

In default of payment in 3 months after conviction to be tranſported, &c. returning within the time felony, &c. *ibid.* 8.

Same penalties, &c. on perſons aiding, &c. *ibid.* 9.

Perſons in whoſe cuſtody veniſon or deer skin has been found in default of ſatisfactory account, &c. ſhall without further evidence be convicted, &c. *ibid.*

Proſecution to be within 6 months. *ibid.*

Defamation.

13 *E.* 1. *ſt.* 4. 9 *E.* 2. *ſt.* 1, *c.* 4. Whether a prohibition lies for a ſuit for defamation. PROHIBITION, 4, 8.

6 *G.* 1. *c.* 6. Cauſes of defamation how to be determined in eccleſiaſtical courts. CITATIONS, 5.

Delegates. See Appeals.

Demurrer.

10 *C.* 1. ſeſſ. 2. *c.* 11. After demurrer entered, judgment ſhall be given on the right and law, without regard to form, unleſs it be ſpecially aſſigned. PLEADINGS, 12.

Judgment ſhall not be reverſed on error for defect in form not ſpecially aſſigned on demurrer. *ibid.*

Court may after demurrer joined, amend imperfections not demurred to, except in appeals, and indictments of felony, &c. actions popular and on penal ſtatutes. *ib.* 13, 14.

This act, by 9 *W.* 3. *c.* 38. is extended to inferior courts.

Deviſes. See Wills and Fraudulent Conveyances.

Dice. See Cards.

Dilapidations. See Glebes and Manſe-houſes.

10 *W.* 3. *c.* 6. Succeſſor may recover in eccleſiaſtical court, or by debt, ſufficient to put in as good repair as at any time during predeceſſor's incumbency. GLEBES, &c. 4.

If not in 6 months, ſequeſtration. And dying before, next ſucceſſor to recover double, unleſs paid voluntarily: to be laid out under like penalty. *ibid.*

Any conveyance, &c. of perſonal eſtate to defraud ſucceſſor, void. *ibid.*

12 *G.* 1. *c.* 10. Deduction out of ſum for improvements on report of commiſſioners on ſucceſſor's complaint *ibid.* 40.

Dilatory Plea. See Abatement.

Diſclaimer.

10 *C.* 1. *ſeſſ.* 2. *c.* 6. Defendant may plead *Diſclaimer* in treſpaſs *quare clauſum fregit*, and on tender of amends, &c. the plea ſhall bar. LIMITATIONS, 13.

Diſcontinuance.

8 *H.* 6. *c.* 6. *Eng.* Suits and proceſſes ſhall not be diſcontinued by new commiſſions of the peace. JUSTICES OF PEACE, 12.

10 *C.* 1. *ſeſſ.* 2. *c.* 14. Suits between party and party ſhall not be diſcontinued by demiſe of the King. DISCONTINUANCE, 1.

Judicial proceſs ſhall not be prejudiced by variance between the names of the King deceaſed and reigning, in whoſe name ſuch proceſs muſt be made. *ibid.*

Diſcontinuance.

Aſſiſe of *novel diſſeiſin*, *mort d'anceſtor*, *juris utrum* or attaint, ſhall not be diſcontinued by death, new commiſſion, aſſociation, or not coming of the juſtices of aſſiſes. *ibid.* 2.

No proceſs or ſuit before juſtices of aſſiſe, gaol delivery, oyer and terminer, juſtices of peace, or other commiſſioners, ſhall be diſcontinued by a new commiſſion or aſſociation, or by altering the names of the juſtices or other commiſſioners. *ibid.* 7.

15 *C.* 1. *c.* 5. } 8 *G.* 1. *c.* 6. } Abſence of lord chancellor, &c. at day of adjournment in error, no diſcontinuance of the writ, if either chief juſtice be preſent ERROR, 5, 15.

1 *A.* *c.* 8. *Eng.* No writ, plea or proceſs, on any indictment or information for miſdemeanors, or for debt or account due to the King, ſhall be diſcontinued by demiſe of the King. KING, &c. 33.

Commiſſions of aſſiſe, oyer and terminer, general gaol delivery or aſſociation, writs of admittance, *ſi non omnes*, and of aſſiſtance, ſhall continue ſix months after demiſe of the King, unleſs ſuperſeded by the ſucceſſor. *ibid.* 34.

No original writ, writ of *niſi prius*, commiſſion or proceedings in equity, nor proceſs on inquiſition, nor *certiorari* or *habeas corpus*, nor writ of attachment or proceſs for contempt, nor commiſſion of delegacy or review, or any proceſs thereon, ſhall be diſcontinued by demiſe of the King. *ibid.*

The proviſions in this act are extended to Ireland, &c. *ibid.* 35.

Judgments on verdicts ſhall not be reverſed for diſcontinuance of proceſs, &c. vide *Jeofails*.

Diſguiſed Perſons. See Cuſtoms.

Diſpenſation.

28 *H.* 8. *c.* 19. Neither King nor any ſubjects ſhall ſue for any faculties, &c. to the biſhop of Rome. FACULTIES, 2.

Perſons ſuing for faculties to Rome, &c. to incur a *premunire*. *ibid.* 19.

Commiſſioners appointed to grant faculties, have the ſame power in Ireland as the archbiſhop of Canterbury. *ibid.* 25.

Diſſeiſin.

3 *E.* 1. *c.* 24. *Eng. Weſt.* 1. If ſheriff, &c. by colour of his office, become a diſſeiſor, and be attainted in aſſiſe, diſſeiſee ſhall recover double damages, and the ſheriff, &c. ſhall be amerced. DISSEISIN.

10 *C.* 1. ſeſſ. 2. *c.* 7. Diſſeiſors dying ſeized without 5 years peaceable poſſeſſion, ſhall be no deſcent to toll the entry of the diſſeiſee. ENTRY.

Diſſenters. See Nonconformiſts.

Diſtillers.

14 *C.* 2. *c.* 8. Penalties on diſtillers not making weekly entries and paying their exciſe. CUSTOMS, &c. 124.

Neglect-

Diſtillers.

Neglecting above three weeks, to be diſabled to be common diſtillers, &c. *ibid.* 125.

Not to be permitted to diſtil untill bond given for true entering and paying exciſe. *ibid.*

Forfeitures for diſtilling before bond given and impriſonment, till bond is given to diſtill for ſale no more. *ibid.* 127.

Penalties for refuſing entrance to officers, concealing liquors or uſing private veſſels. *ibid.* 129.

33 *G.* 2. *c.* 9. Penalty for uſing unwholeſome ingredients in diſtilling. DISTILLERS. 1.

Finding pernicious ingredients in ſtill-houſes, &c. to be deemed a ſufficient proof of uſing them. *ibid.* 2.

Information to be given in fourteen days after diſcovery of offence. *ibid.* 5.

33 *G.* 2. *c.* 10. Stills, &c. for diſtilling ſpirits for ſale, to contain at the leaſt 200 gallons, under penalty of forfeiting ſtill and 100*l.* *ibid.* 7.

Exciſe officers to enter houſes, &c. to ſearch for ſtills of leſs dimenſions, and to ſeize the ſame. *ibid.* 8.

Stills, &c. to be broke, and the materials to be ſold. Waſh and pot-ale found therein, to be ſpilled, and low wines to be forfeited. *ibid.* 9.

Stills, &c. to be fixed in towns-corporate, or market-towns. *ibid.* or licenſed by the chief commiſſioners of exciſe, or any three of them, under the penalty of 50*l.* *ibid.* 10.

Private perſons may, for their own uſe only, keep ſtills, &c. not exceeding 12 gallons. If ſtills of larger dimenſions are found in poſſeſſion of a private perſon, ſuch perſon to be deemed a common diſtiller, and ſubject to duties and penalties. *ibid.* 11.

Stills, &c. that contain more than 12 gallons, and leſs than 200 Gallons, to be forfeited, and the perſon in whoſe cuſtody found, to forfeit 20*l.* *ibid.* 12.

Concealment of waſh and low wines, diſtillers, &c. to ſhew to the officer all their ſtock of waſh and low wines, under penalty of 10*l.* by diſtiller, and 5*l.* by his ſervant. *ibid.* 13.

If any waſh or low wines found over and above the quantity ſhewn, diſtiller to forfeit 20*s.* for every nine gallons of waſh, and 20*s.* for every three gallons of low wines. *ibid.*

Officers to keep an account of all waſh, pot ale, and low wines in the poſſeſſion of any diſtiller. *ibid.* 14.

Diſtillers to give 24 hours notice, before they take in any waſh, *ibid.* under panalty of 10*l.* *ibid.* 15.

Stills charged with low wines extracted from corn, malted or unmalted, officer to charge the diſtiller with as much ſtrong waters as one third part of the content of the ſtill, &c. *Eng* 16.

Stills, &c. found in any field, garden, wood, bog, &c. and the ſpirits or waſh found therein, if not claimed in 21 days after information filed, to be forfeited. *ib* 18.

Not ſet to work, nor liquors carried out, without notice to officer, but between 5 and 8 from 29 September, and 3 and 9 from 25 March: penalty 20*l.* *ibid.* 19.

Setting at work between 6 Saturday afternoon and 4 Monday morning 5*l.* *ibid.* 20.

Utenſils ſubject to arrears of exciſe and all forfeitures in whoſe hands ſoever. *ibid.* 21.

1 *G.* 2. *c.* 7. Stills, &c. to be regiſtered, and regiſtry to contain the name of the Diſtiller, contents of the ſtill, &c. and place where, &c. and day when regiſtered, ſix pence to be paid for regiſtry. *ibid.* 23.

No backs, &c. for fermenting waſh of molaſſes or ſugar, ſhall be uſed, that ſhall not hold 400 gallons, on pain of forfeiture and 10*l.* *ibid.* 24.

3 *G.* 3. *c.* 21. One ſtill only of twelve gallons or under to be kept. *ibid.* 25.

Pot-ale exceeding ſixty gallons to be ſpilled. *ibid.*

Stills which cannot contain more than 12 gallons to be regiſtered. *ibid.* 22.

Penalties for not ſhewing to officers all the ſtock on hand. *ibid.* 23.

Quantity of waſh from moloſſes or ſugar not to be leſs than 400 Gallons. *ibid.* 24.

Concealment found in fields, &c. forfeited. *ibid.* 25.

Waſh and pot-ale in houſes not belonging to a diſtiller to be ſpilled. *ibid.* 26.

5 *G.* 3. *c* 16. Permitting concealments of ſpirits, &c. or aiding therein, forfeit five pounds. *ibid.* 27.

Notice to be given of places where diſtillery is intended to be ſet up. *ibid.* 30.

Penalty of 50*l.* for lighting fires for diſtilling from ſix o'clock on Saturday evening, 'till four on Monday morning. *ibid.* 32.

Diſtillers to furniſh officers with lights to ſearch and ſurvey the ſtock. *ibid.* 33.

Diſtreſs.

9 *H.* 3. *c.* 10. *Eng. Mag. Chart.* None ſhall be diſtrained to do more ſervice for freehold than is due. DISTRESS, 1.

51 *H.* 3. *Stat.* 4. *de diſtriction. Scacc. Eng.* Owners may feed their cattle diſtrained, in the pound. *ibid.* 2.

Diſtreſs for the King's debt ſhall not be ſold in 15 days, and on producing a tally of payment from the exchequer, or on finding pledges to appear, &c. the diſtreſs ſhall ceaſe. *ibid.*

Draft cattle or ſheep not to be diſtrained except for damage feaſant, if other goods can be found. *ibid.*

All diſtreſſes ſhall be reaſonable and according to the value of the demand. *ibid.*

52 *H.* 3. *c.* 1. *Marlb. Eng.* Penalty on taking diſtreſs without award of court. *ibid.* 3.

—— *c.* 2. *Marlb. Eng.* Penalty on diſtraining for ſuit of court out of the fee, or where there is no juriſdiction. *ibid.* 4.

Penalty on not ſuffering diſtreſſes to be delivered by the King's officers, &c. *ibid.* 5.

On diſtreſs for ſervices, &c. not due, the lord ſhall be amerced, and the tenant recover damages. *ibid.*

—— *c.* 4. } Penalty on driving diſtreſs out of the
Marlb. Eng. } county, and on taking exceſſive or
3 *E* 1. *c.* 16. } wrongful diſtreſſes. *ibid.* 6. 8.
Weſt. 1. *Eng.* }

52 *H.* 3. *c.* 15. *Marlb Eng.* None except the King or his officers ſpecially authorized, ſhall take diſtreſſes out of his fee, or in highways or ſtreets. *ibid.* 7.

9 *E.* 2. *c.* 9. *Artic. cler. Eng.* Diſtreſſes ſhall not be taken in the highway, nor in the fees of churches, except in churches newly purchaſed by the parſon. *ibid.* 11.

15 *E.* 4. *c.* 1. Perſons diſtraining contrary to the form of the common law, ſhall be adjudged felons, unleſs the perſon diſtrained be not ameſnable to law. *ibid.* 12.

Diſtreſs.

18 *E.* 4. *c.* 1. Diſtreſs not releaſed in eight days may be appraiſed and ſold, and if the arrear be not paid in eight days after appraiſement, the lord may keep it at the appraiſed value for his rent and damages. *ibid.* 13.

The ſurplus, if any, to be reſtored, and if the diſtreſs be deficient, the tenant ſhall pay the ſurplus, or be again diſtrained. *ibid.*

10 & 11 *C.* 1. *c.* 7. The ſtat. 18 *E.* 4. *c.* 1. is extended to all eſtates and intereſts. *ibid.* 17.

10 *C.* 1. ſeſſ. 2. c. 25. Perſons driving diſtreſs out of the barony or hundred, except to a pound within 3 miles, or impounding diſtreſſes in many places, ſhall forfeit 5l. and treble damages. *ibid.* 14.

Penalty on taking more than 4d. for one whole diſtreſs impounded. *ibid.* 15.

Penalty on every ſheriff not appointing four deputies in two months, after receiving his patent to make replevins and deliverance of diſtreſſes in the ſheriffs name. *ibid.* 16.

7 *W.* 3. *c.* 22. Where the diſtreſs is inſufficient, the party may diſtrain again for the reſidue of the arrears. Avowry, 11.

Corn in ſhaves, cocks, or in the ſtraw, and hay in barns, *&c.* may be ſeized for rent, and locked up or diſtrained in the place where found 'till replevied. Distress, 19.

The ſame proceedings on ſuch diſtreſſes as in other caſes. *ibid.* 20.

9 *A. c.* 8. Goods fraudulently conveyed from the demiſed premiſſes may be diſtrained and ſold as uſual, *&c.* in 5 days after for rent, unleſs they were *bona fide* ſold. Rents, 6, 9.

Landlord may in 6 months after determination of any leaſe, diſtrain for arrears of rent. *ibid.* 10, 11.

4 *G.* 1. *c.* 5. Penalty on offenders reſcuing diſtreſſes for rent. Distress. 22, 23.

8 *G.* 1. *c.* 2. Diſtreſs for rent by whom to be appraiſed and the oath of appraiſers. *ibid.* 24.

On oath of reſcue in 14 days, juſtice of peace may order conſtables to aſſiſt in diſtraining again. *ibid.* 25, 26.

Juſtice of peace may appoint perſons to watch and ſecure corn or hay diſtrained. *ibid.* 27, 28.

11 *G.* 2. *c.* 15. Biſhops tranſlated may diſtrain for arrear of chief-rents in 2 years from their tranſlation. Rents, 36, 37.

15 *G.* 2. *c.* 8. Goods fraudulently carried from the premiſſes may in 20 days after be ſeized as diſtreſs for rent, unleſs *bona fide* ſold. Rents, 38, 39.

Diſtreſs for rent may be impounded, ſecured and ſold on any part of the premiſſes. Distress, 29.

25 *G.* 2. *c.* 13. Lands held by article in writing may be diſtrained for rent. *ibid.* 31.

When and how ſuch diſtreſs may be ſold. *ibid.*

Diſtribution of Inteſtate Eſtates.

See Adminiſtrator.

Diſtringas.

See Juries.

Divine Service.

See Service and Sacraments.

Dogs.

10 *Will.* 3. *c.* 8. Dogs kept by perſons not qualified may be ſeized. Game, 3.

Penalty of five pounds on perſons, not qualified, keeping any beagle, graybound or land-ſpaniel. *ibid.*

No perſon qualified ſhall cover any ſuch for perſons unqualified. *ibid.* 4.

Tenants may keep ſuch dogs for the uſe of their landlord, *ibid.* 8.

Licence to perſons teaching ſetting-dogs to hunt on dry foot. *ibid.* 9.

3 *G.* 3. *c.* 23. Dogs of any ſpecies belonging to perſons not qualified, which prove a nuſance, to be killed. Dogs, 1.

Not to prevent other redreſs for damage done by them. *ibid.* 2.

5 *G.* 3. *c.* 14. Blocks to be faſtened about the necks of cur-dogs, maſtiffs, *&c.* *ibid.* 3.

Juſtice may by warrant order any dog, kept otherwiſe to be killed. *ibid.* 4.

Dower and tenant by the curteſy.

9 *H.* 3. *c.* 7. *Mag. Char. Eng.* What dower and when ſhall be aſſigned to widows. Dower, &c. 1.

20 *H.* 3. *c.* 1. *Eng. Mert.* Widow deforced of dower ſhall recover damages, *&c.* *ibid.* 2.

3 *E.* 1. *c.* 49. *Eng.* In dower where writ ſhall not abate by exception of the tenant, *&c.* *ibid.* 3.

6 *E.* 1. *c.* 7. *Gloc. Eng.* Heir or reverſioner ſhall recover the land againſt alienee of tenant in dower. *ibid.* 4.

Stat. de tenent. per legem Angliæ incer. tem. Eng. When the huſband ſhall be intitled to be tenant by curteſy. *ibid.* 5.

13 *E.* 1. *c.* 34. *Eng.* Wife eloping from her huſband, and continuing with the adulterer ſhall loſe her dower, unleſs the huſband receives her without coercion. Rape, 2.

6 *R.* 2. *c.* 6. *Eng.* A woman conſenting after rape ſhall forfeit her dower. *ibid.* 3.

10 *C.* 1. *ſeſſ.* 2. *c.* 1. In what caſe wife may refuſe a jointure made after marriage, and take her dower. Jointure, 2, 3, 4

A jointure to a woman married by way of uſe a bar of dower unleſs evicted. *ibid.* 3.

6 *Ann c.* 16. If any perſon entice the ſon, *&c.* of any perſon having lands, *&c.* of 50 *l. per ann. &c.* to contract matrimony without conſent, *&c.* or under 21 years of age, ſhe ſhall be barred of dower, jointure, *&c.* Marriages, 13.

Draperp.

17 & 18 *C.* 2. *ſeſſ.* 2. *c.* 15. What the length, breadth and weight of broad cloths mixed, *&c.* and white broad cloths are to be. *ibid.* 1.

The like of kerſeys, cottons, bays and bandle cloths. *ibid.*

The like of the length and breadth of broad bays, ſays, ſerges, carpets, hangings and dornocks. *ibid.*

The like of all other ſtuffs, *&c.* *ibid.*

An alnager to be appointed and for what purpoſes. *ibid.* 2.

The alnager to ſeal cloths, *&c.* if merchantable, *&c.* *ibid.*

The

Drugs, &c.

The treasurer, &c. to appoint the seal. *ibid.*

What subsidies the alnager is to take for the King for broad cloth of the old drapery, &c. *ibid.*

The like for the new drapery. *ibid.*

Penalty on clothiers, &c. selling, &c. said commodities before viewed, &c. *ibid.*

Penalty on alnager remiss in his duty and how recoverable. *ibid.* 3.

Penalty on clothiers not weaving their mark into the head of cloth. *ibid.* 4.

Penalty on alnager, &c. searching and taking fees on cloths made for their own use, &c. *ibid.*

The alnager to appoint convenient places, &c. for measuring, &c. all draperies, &c. *ibid.* 5.

Alnager to appoint deputies and for what purposes. *ibid.*

Penalty on persons resisting, &c. such deputies. *ibid.*

Forfeiture on pressing woollen cloths with a hot press. *ibid.* 6.

Penalty on officers of customs suffering any drapery unsealed to be exported. *ibid.* 7.

All officers, &c. to be assisting to the alnager, &c. *ibid.* 8.

Penalty on persons counterfeiting, &c. the alnager's seal, &c. *ibid.* 9.

10 & 11 *Will.* 3. *sess.* 1. *c.* 10. *Eng.* Penalty on any exporting from Ireland other than to England, any woollen drapery, &c. Wool, &c. 41.

12 *G.* 2. *c.* 21. *Eng.* From what places all wool, &c. and all draperies are to be exported from Ireland. *ib.* 78.

Drogheda.

5 *G.* 3. *c.* 22. Regulations for establishing a nightly watch. *ibid.* 1, 2, 3.

Drugs, &c.

1 *G.* 3. *c.* 14. Four physicians appointed by the college to inspect drugs in Dublin and 10 miles. Drugs, &c. 1.

And notice in 3 days after to corporation of apothecaries to return 2 assistants in 3 days: approved by the college. A new return, if objected to. *ibid.* 3.

On neglect inspectors to proceed without them. *ibid.* 4.

Inspectors and assistants to serve one year: not afterwards for 3 years without their consent. *ibid.* 5.

Summoned and examined by the college, and sworn. *ibid.* 6.

Two with one assistant 4 times a year, or oftner, to inspect by day; and, if adulterated or ill-prepared, seize and destroy. *ibid.* 7.

On owners appeal to the college examiners shall weigh, and put, with the pots, &c. and their reasons in writing, into a box, sealed; and committed to the beadle 14 days. *ibid.*

In which an assembly summoned, on 4 days notice to owner, and in his presence (if appearing) being not less than 5 exclusive of examiners, shall open and determine. *ibid.*

If affirmed, the drugs, &c. destroyed before the party's doors: president, &c. first sworn. *ibid.* 8.

If not in 14 days, or if deemed good, returned without damage. *ibid.* 9.

Drugs, &c.

Obstructing, forfeit 20 *l.* *ibid.* 10.

The college may frame a code, with rules for preparing for physick or chirurgery, and the vessels, measures, weights and scales: observed thro' the kingdom. *ibid.* 11.

Making or selling by other rule, penalty 10 *l.* unless directed by a regular practitioner for his own use. *ibid.* 12.

Utensils, measures, &c. may be examined, and, if contrary or unlawful, destroyed, and like appeal. *ibid.* 13.

Not extended to importer of simple drugs, not preparing or retailing. *ibid.* 14.

Every chief magistrate, unless apothecary, chimist, or druggist, and then (or where none) sheriffs, or 2 justices, may summon two or more doctors, being graduates; or licentiates; who, being sworn, may with chief magistrate examine and destroy. *ibid.* 15.

On appeal to the college, a sample sent under seal: if affirmed, residue destroyed at offender's door on market-day, and 40 *s.* paid: if not, restored publickly in 24 hours without damage. *ibid.* 16.

Examiners, after acting, shall return to the college persons visited, state of drugs, utensils, measures, &c. and of drugs of importers. *ibid.* 17.

No medicine sold for another without informing buyer, with the reason in writing, if demanded: no ingredient substituted or omitted without leave of college or prescriber, and the reason on the cover or label: penalty 40 *s.* before chief magistrate, or next justices, or at assizes. *ibid.* 18.

Prescriptions in words at length only: penalty 40 *s.* *ibid.* 19.

Subscribed with the name, profession, and the university; penalty 40 *s* if of the royal college, initials sufficient. *ibid.* 20.

No arsenick, orpiment, or arsenical preparation, kept or handled in same shop, &c. penalty 5 *l.* *ibid.* 21.

Not to tinsel over or disguise with Dutch metal, &c. penalty 40 *s.* *ibid.* 22.

Penalties to informer, and for medicines for the poor. *ibid.* 23.

Dublin.

17 *G.* 2. *cap.* 2. New rules for regulating the corporation of the city of Dublin. Dublin, 1.

Elections of lord mayor, sheriffs, recorder or town clerk to be returned to and approved of by the chief-governors and council. *ibid.*

The treasurer, sheriffs and receivers of the city revenue to account yearly to the auditors of the city. *ib.* 2.

Magistrates elected incapable to act until they have taken the oaths, &c. *ibid.* 3.

Numbers and regulations for the common-council of the city. *ibid.* 4.

Power of the common-council to alter the numbers returned by the corporations. *ibid.* 5.

Admitting foreign protestant manufacturers to their freedom. *ibid.* 6.

Oaths to be taken by persons admitted to their freedom. *ibid.* 7.

Dublin.

33 G. 2. c. 16. Conſtitution of the common-council for the city. *ibid.* 8.

Return of the number of perſons for common-councilmen. *ibid.* 9.

Penalty on maſters or wardens refuſing to make returns. *ibid.* 10.

Qualifications of perſons returned to ſerve in the common-council. *ibid.* 11.

Reſtraint of perſons voting for common-council-men. *ibid.* 12.

Diſputes as to the qualification, returns, &c. of common-council-men, how to be determined. *ibid.* 13, 14.

Power for altering the numbers for any of the corporations. *ibid.* 15.

Number and qualification of perſons to be returned for ſheriffs. *ibid.* 16.

Aldermen to be elected out of four perſons to be returned from among the ſheriffs-peers, *ibid.* 17.

Approbation of the common-council requiſite. *ibid.* 18.

Names of perſons returned and elected to ſerve in offices to be poſted and advertiſed. *ibid.* 19

Remedy where aſſemblies for elections are omitted to be held. *ibid.* 20.

All elections for the ſeveral guilds to be made by ballot. *ibid.* 21.

Juriſdiction of the court of conſcience confirmed. *ib.* 22.

Preſident of the court, and the method of electing on any vacancy happening. *ibid.* 23.

Lord mayor and ſheriffs to be juſtices of the peace. *ib.* 24.

Quorum for holding a ſeſſion for the city. *ibid.* 25.

Recorder to hold his office during his good behaviour. *ibid.* 26.

Approbation of officers by the chief-governors and privy council requiſite. *ibid.* 27.

Corporation of the city to remain as before, except as altered by this act, which is a publick act. *ibid.* 28, 29.

Dublin Ballaſt office.

6 *A.* c. 20. The lord mayor, ſheriffs, commons and citizens of Dublin to erect a ballaſt-office. DUBLIN, 30.

Gabbards, &c. to be provided for raiſing ballaſt any where within the verge of the county of the city. *ibid.* 31.

Maſters of ſhips to pay damages for delay in caſting out ballaſt. *ibid.* 33.

Rates to be paid for ballaſt delivered. *ibid.* 34.

Tunnage to be paid by ſhips, except thoſe belonging to his Majeſty. *ibid.* 35.

Duty payable by lighters, &c. employed in the river, below the wooden-bridge. *ibid.* 36.

Ships not to be cleared without a diſcharge from the ballaſt-office. *ibid.* 37

Ballaſt-money to be employed in cleanſing the river. *ibid.* 38.

Account to be given of the produce and application of the money. *ibid* 39.

Appointment of officers and their ſalaries *ibid.* 40.

Penalty for caſting rubbiſh, &c. into the river. &c. *ibid.* 41.

Dublin Ballaſt-office.

Ballaſt to be taken out of the channel of the river *ibid.* 42.

Payments for taking away the ballaſt from ſhips. *ibid.* 43.

Penalty for taking in ballaſt, except from the perſons employed by the office. *ibid.* 44.

Remedy in caſes of neglect of the perſons employed. *ibid.* 45.

Penalty for carrying goods to or from ſhips, by ballaſt boats. *ibid.* 46.

6 G. 1. c. 15. Diſtreſs for non-payment of the duties on lighters. *ibid.* 48.

Coaſting ſhips not to be cleared without a diſcharge from the ballaſt office. *ibid.* 49.

10 G. 1. c. 3. Clearing the river of ſhips or boats ſunk. *ibid.* 50.

Perches to be fixed on each ſide of the channel. *ibid.* 51.

Dublin Beggars.

2 *A.* c. 19. Governors of the work-houſe may make by-laws. DUBLIN, 54.

10 G. 1. c. 3. Regulations to be obſerved by the beadles of pariſhes. *ibid.* 56.

5 G. 2. c. 14. Committal of diſorderly perſons to bridewell. *ibid.* 57.

9 G. 2 c. 6 Tranſportation of vagrants. *ibid.* 58.

Preſentments may be traverſed, at the ſame or the next ſeſſions. *ibid.* 59.

19 G. 2. c. 21. Apprehending ſturdy beggars and vagabonds. *ibid.* 60.

No *certiorari* to ſuperſede orders of the court of aſſiſtants.

23 G. 2 c. 11. Diſeaſed beggars to be committed to the work-houſe. *ibid.* 63.

Dublin Butchers.

31 G. 2. c. 8. Butchers ſelling meat to other butchers, the penalty. DUBLIN, 64.

Penalty on butchers bying calves or lambs, except in the market. *ibid.* 65.

Information againſt the offenders in any of the four courts. *ibid.* 66.

Anſwer not to be evidence againſt the party anſwering. *ibid.* 67.

Coſts for vexatious proſecutions. *ibid.* 68.

Dublin Civil-Bills.

31 G. 2. c. 16. The recorder of Dublin impowered to hear cauſes by civil bill. DUBLIN, 70.

Sums decreed, not exceeding 10 *l.* to be levied by diſtreſs of goods. *ibid.* 71.

Court of civil-bills to be a court of record. *ibid.* 72.

Service of proceſs 12 days before the ſittings of the court. *ibid.* 74.

Appeal to the chief-judges at their ſittings of *niſi prius*. *ibid.* 75.

Hearings to be as before the judges of aſſiſe on appeals in caſes of civil bills. *ibid.* 76.

Provi-

Dublin Civil-Bills.

Proviſions in caſes of ſickneſs or neceſſary abſence of the recorder.

Dublin Coaches.

1 G. 2. c. 27. Governors of the work-houſe to licenſe coaches, &c. driving for hire. DUBLIN, 78.
Entries to be made of aſſignments or deviſes of licences. *ibid.* 79.
Limitation of the hire for coaches in the city or within 5 miles thereof. *ibid.* 80.
Two licenſes for ſedans, and no more to be granted to one perſon. *ibid.* 81.
Brewers drays and carts, cars, &c plying for hire to be licenſed. *ibid.* 82.
Annual rents to be reſerved on every licenſe. *ibid.*
Recovery of arrears of licenſe money by diſtreſs. *ibid.* 83.
Rents to be paid for carts, cars, &c. for carrying materials for building. *ibid.* 84.
Penalty for keeping drays, carts, &c. without licence. *ibid.* 85.
Fines and rents to be applyed to the uſe of the work-houſe. *ibid.* 86.
By laws to bind perſons having licences. *ibid.* 87.
Remedy for refuſing to pay coach-men or chair-men their hire. *ibid.* 88.
3 G. 2. c. 17. No perſon to transfer or aſſign licences without licence from the court of aſſiſtants. *ibid.* 89.
Forfeiture for not keeping coaches by perſons licenſed. *ibid.* 90.
Hire of coach-men after 10 o'clock for a ſet-down, &c. *ibid.* 91.
5 G. 2. c. 14. Brewers cars, &c. to have figures. *ibid.* 92.
Complaints by or againſt coach-men, &c. how to be determined. *ibid.* 93.
Ring's-end cars or chaiſes to be licenſed and figured. *ibid.* 94, 95.
By-laws for adjuſting the hire of chaiſes, &c. *ibid.* 96.
Payment of licenſe-money how to be enforced. *ibid.* 97.
19 G. 2. c. 21. New licenſe to be granted for 21 years. *ibid.* 99.
Continuation of former acts. *ibid.* 100.
Complaints to be determined on proof by oath. *ibid.* 101.
Money due for hire, with damages and coſts, to be levied by diſtreſs. *ibid.* 102.
General iſſue pleadable in ſuits upon this act. *ibid.* 103.
No *certiorari* to ſuperſede proceedings on this act. *ibid.* 104.
25 G. 2. c. 16. Regulations for the hire of coaches. *ibid.* 105.
Additional hire may be allowed to coaches. *ibid.* 106.
Not compellable to drive more than 4 miles from Dublin. *ibid.* 107.
Additional number of ſedans may be licenced. *ibid.* 108.
Rent to be reſerved on every licenſe. *ibid.* 109.

Dublin Coaches.

Adjuſtment of the fare according to the diſtances. *ib.* 110.
29 G. 2. c. 13. Carts, &c. drawn by two or more horſes, within 7 miles of Dublin. *ibid.* 112.
Seizures for penalties on this act. *ibid.* 113.
Penalty for obſtructing ſeizures or diſtreſſes. *ibid.* 114.
Not to extend to carts, &c. going to diſtant places. *ibid.* 116.

Dublin Coals.

1 G. 3. c. 10. Factors and keepers of coal-yards to be licenſed. *ibid.* 118.
Number of factors limited. *ibid.* 119.
Oath to be taken by factors. *ibid.* 120.
Keepers of yards and factors not to keep gabbards, &c. *ibid.* 121.
Boards to be hung on the maſts of coal-ſhips. *ib.* 122.
By-laws for regulating the wages of porters, carmen, &c. *ibid.* 123.
Publick yards to be taken for coals. *ibid.* 124.
Coals to be laid in at the publick expence. *ibid.* 125.
Profit on the ſale of the coals how to be diſpoſed of *ibid.* 126.
Appointment and duty of the director. *ibid.* 127.
Comptroller of the accounts of the director. *ibid.* 129.
Monthly accounts to be laid before the lord mayor, &c. *ibid.* 131.
Rules and by-law, for the coal-yards. *ibid.* 132.
Suits for penalties in a ſummary way. *ibid.* 133.
3 G. 3. c. 27. When the coal-yards are to be opened. *ibid.* 135.
Neglect of attendance by the director or comptroller. *ibid.* 136.
Security to be entered into before the lord mayor. *ibid.* 138.
Salaries to officers and clerks. *ibid.* 140.
Certificates for obtaining coals at the yards. *ib.* 143.
Quantity to each perſon in one day. *ibid.* 144.
Coals may be ſold out by direction of the chief governor. *ibid.* 145.
Appointment of places for coal-yards. *ibid.* 146.
Penalty for foreſtalling coals in the river of Dublin. *ibid.* 147.

Dublin Fire, &c.

2 G. 1. c. 5. Chief magiſtrates to attend on the breaking out of fires. DUBLIN. 148.
6 G. 1. c. 15. Stop-blocks to be placed on the mains and pipes. *ibid.* 149.
Engine-keepers to be appointed at veſtries. *ibid.* 150.
10 G. 1 c. 3. No ſhips, &c. to be careened in the river. *ibid.* 151.
No fire for boiling meat, &c. to be kept on board ſhips in the river. *ibid.* 152.

Dublin Foot-paths.

5 G. 3. c. 14. Preſentments for making and repairing foot-paths. DUBLIN. 153.
No cattle to be ridden or drove on foot-paths. *ib.* 154.

Dublin-Foundlings.

1 G. 2. c. 27. Foundlings to be received into the work-houſe. DUBLIN, 155.
Not to vote at elections, unleſs admitted free. *ib.* 156.
3 G. 2. c. 17. All children expoſed in the ſtreets to be received. *ibid.* 157.
Apprenticing male children to trades or ſervice. *ib.* 158.

Dublin-Gunpowder.

1 G. 2. c 27. Keeping gun-powder exceeding one hundred weight. *ibid.* 159.
Warehouſes with licence of the chief governors. *ibid.* 160.

Dublin-Harbour.

3 G. 3. c. 15. Appointment and ſalaries of pilots. DUBLIN, 161.
Haven-maſters to take care of buoys and perches. *ibid.*
Appointing places for ſhips to be moored. *ibid.* 162.
Penalty of refuſing to obey orders. *ibid.*
Penalties for obſtructing officers in the execution of this act. *ibid.* 163.
Cutting buoy-ropes from anchors made felony. *ibid.* 164.
Ships obliged to take pilots on board. *ibid.* 165.
New duties to be paid to the ballaſt-office. *ibid.* 166.
Coaſting-veſſels, boats and wherries not chargeable. *ibid.* 167.
Ships not to be cleared without a diſcharge. *ibid.* 168.
Lighters above ten tons burthen to be licenſed. *ibid.* 169.
Duties and forfeitures how to be applied. *ibid.* 170.
Accounts to be laid before the chief-governors and council. *ibid.* 171.
Election of members of the committee. *ibid.* 172.
Nomination of haven-maſters by the committee. *ibid.* 173.
Salaries to pilots and haven-maſters. *ibid.* 174.
Rewards to ſeamen aſſiſting ſhips in diſtreſs. *ibid.* 175.
Regulations for pilots, haven-maſters, &c. how to be made. &c. 176.
Meetings of the committee giving three days notice. *ibid.* 177.
Quorum of the committee impowered to act. *ib.* 178.
Penalties to be recovered in a ſummary way. *ibid.* 179.
Actions, for any thing done in purſuance of this act, to be brought in three months. *ibid.* 180.
Penalties recoverable by civil-bill. *ibid.* 181.

Dublin-Hay and Straw.

4 G. 1. c. 11. A load of hay to weigh four hundred weight. DUBLIN, 183.
Mixing dirt or wetting hay the penalty. *ibid.* 184.
11 G. 2. c. 11. Weight of a car-load of ſtraw. *ibid.* 186.

Dublin-Hoſpitals.

3 G. 2. c. 23. Governors appointed for *Stephen*'s hoſpital. DUBLIN, 187.
Election of governors on vacancies. *ibid.* 188.
Governors made a corporate body. *ibid.* 190.

Dublin-Hoſpitals.

Rules for the government of the hoſpital. *ibid.* 191.
Purchaſe of lands without licence of mortmain. *ibid.* 193.
Leaſes of lands at the improved value. *ibid.* 194.
23 G. 2. c. 18. Governors of *Mercer*'s hoſpital. *ibid.* 197.
Election on vacancies by ballot. *ibid.* 198.
Governors a corporate body, &c. *ibid.* 199.
Regulations for the management of the hoſpital. *ibid.* 200.
Phyſicians, ſurgeons and apothecary. *ibid.* 201.
Ability to purchaſe lands without licence. *ibid.* 202.
Leaſes of lands to be without fine and not in reverſion. *ibid.* 205.

Dublin-Infirmaries.

5 G. 3. c. 20. One hundred and fifty pounds a year to be paid out of the treaſury to the Charitable infirmary, Mercer's hoſpital, and the Hoſpital for incurables, to be equally divided between them. DUBLIN, 208.
Grand-jury may preſent one hundred and fifty pounds for the uſe of the ſaid infirmary and hoſpitals. *ibid.* 209.
The money paid out of the treaſury to be applied in payments to the phyſicians, ſurgeons, or other purpoſes. *ibid.* 210.
The money raiſed by the grand juries to be applied for food, medicines, &c, for the patients and repairs of the building. *ibid.* 211.

Dublin-Lamps.

6 G. 1. c. 18. Publick lights to be erected in the liberties of St. *Sepulchre's*, *Thomas-court* and *Donore*. DUBLIN, 212.
Dimenſions of lanthorns, manner of fixing them and their diſtances. *ibid.* 213.
Authority given to erect poſts and fix the irons for lamps. *ibid.* 214.
Aſſeſſments for lamp-money and penalties for neglects in lighting the lamps. *ibid.* 215.
General iſſue pleadable by defendants in ſuits on this act. *ibid.* 216.
Replevins for diſtreſs to be determined in a ſummary way by the ſeneſchals. *ibid.* 217.
No charge on inhabitants where the lanthorns are not made and lighted as directed. *ibid.* 218.
Waſte houſes not to be charged while they continue waſte. *ibid.* 219.
Security to be given by the perſons to be appointed to light the lamps. *ibid.* 220.
Penalty for breaking lamps, pulling out irons, &c. *ibid.* 121.
Warrant of diſtreſs to levy the penalties. *ibid.* 122.
8 G. 1. c. 16. Penalty of five pounds for breaking lamps, &c. *ibid.* 123.
3 G. 2. c. 22. Lamps in the liberties of St. Sepulchre's, &c. to be ſupplied with rape or ſun-fiſh oil. *ibid.* 124.
Penalty for neglect in lamp-lighters. *ibid.*
Offenders to be publickly whipped for want of diſtreſs. *ibid.*
15 G. 2. c. 11. Continuation of the former acts for 21 years. *ibid.* 225.
Fifteen ſhillings to be raiſed on the inhabitants for each lamp. *ibid.* 226.

, &c.

d. 191.
. ibid.

194.
id. 197.

l. ibid.

01.
l. 202.
eversion.

ır to be
y, Mer-
, to be

pounds
d. 209.
plied in
rposes.

lied for
of the

rties of
, 212.
m and

ns for

eglects

n this

mary

e not

tinue

ed to

&c.

122.
mps,

&c.

trefs.

each

gle

Dublin Lamps.

Neglect of applotments how to be remedied. *ibid* 227, 228.

33 *G.* 2. *c.* 18. The pariſhioners to light ſuch number of lamps as ſhall be agreed upon in veſtry. *ibid.* 229.

Pattern lanthorns to be fixed by the lord mayor, and depoſited at the Tholſel. *ibid.*

Lamps to be fixed tranſverſly at 22 yards diſtance, and kept lighted from ſun-ſet to ſun-riſe during the whole year. *ibid.* 230.

Sums to be fixed at veſtry and applotted according to the watch-money. *ibid.* 231.

Neglect of calling veſtry or refuſal to applot how provided for. *ibid.* 232.

Proprietors of waſte houſes not liable to pay. *ibid.* 233.

Perſons keeping private globes to pay but half the tax. *ibid.* 234.

Acceſs to the books of aſſeſſment, and appeal to the lord mayors court. *ibid.* 235.

Collectors of the aſſeſſments to be appointed and ſworn. *ibid.* 236.

Refuſal to take the oath or neglecting to collect the ceſs, how puniſhable. *ibid.*

In caſe of refuſal, death, *&c.* of the perſon nominated, another perſon to be appointed in his ſtead. *ibid.* 237.

Exemption of perſons not obliged to ſerve in pariſh-offices. *ibid.* 238.

Collectors obliged to account on oath for the ſums received by them. *ibid.* 239.

Collectors on neglect or refuſal to account to be committed. *ibid.*

On refuſal of payment, a warrant of diſtreſs to be granted. *ibid.* 240.

Proviſion in caſe of the death of any collector without having accounted for money received by him. *ibid.* 241.

Price of lighting lamps to be aſcertained by the lord mayor, *&c.* *ibid.* 242.

Contracts to be made by the church-wardens and pariſhioners *ibid.* 243.

Sum not to exceed that fixed by the lord mayor, *&c.* *ibid.* 244.

Perſons employed by the lamp contractors to attend at the watch-houſes. *ibid.* 245.

Prices for ſupplying the lamps with oil, *&c.* to be aſcertained at a court of common council yearly. *ibid.* 246.

Penalties for throwing down, breaking or extinguiſhing lamps. *ibid.* 248.

Offences to be heard before any juſtice of the peace. *ibid.* 249.

Parties aggrieved may appeal to the quarter-ſeſſions. *ibid.* 250.

Application of the penalties inflicted by this act. *ibid.* 251.

Stealing or forcibly carrying away lamps, felony. *ibid.* 252.

Old globes, *&c.* to be ſold by auction. *ibid* 253.

Dublin Library.

6 *A. c.* 19. The houſe built for a publick library at St. Sepulchre's, the gardens, books, *&c.* veſted in truſtees. DUBLIN, 256.

Diſcharged from all taxes and charges. *ibid.*

Dublin Library.

Truſtees made a corporation and impowered to make rules, *&c.* *ibid.* 257.

Librarian to be removed in caſe of obſtinate diſobedience. *ibid.* 258.

Chantorſhip or treaſurerſhip of St. Patrick's to be conferred on the librarian. *ibid.* 259.

Nomination of the librarian veſted in the archbiſhop. *ibid.* 261.

Oath to be taken by the librarian. *ibid.*

All money, lands, or things given or deviſed to the library veſted in the truſtees. *ibid.* 262.

Proviſo in caſe the librarian ſhall have 150*l. per annum*, beſtowed on him and his ſucceſſors. *ibid.* 263.

Duplicates may be exchanged for other books. *ibid.* 264.

This act, with a map of the ground and the rules and orders made by the governors to be fairly written in a parchment book. *ibid.* 266.

Viſitation of the library on the ſecond Thurſday in October every year. *ibid.* 267.

Three fair catalogues of all the books to be made. *ibid.* 268.

Notice to be given of the time and place of meetings of the governors. *ibid.* 270.

The library and building thereof to be kept in repair. *ibid* 271.

General ſaving of the rights of other perſons. *ib.* 272.

Dublin Nuſances.

4 *G.* 1. *c.* 11. Removal of all encroachments on the ſtreets. DUBLIN, 273.

Certiorari to remove orders to the King's-bench. *ibid.* 274.

Penalty for laying rubbiſh, *&c.* in any ſtreet, *&c.* *ibid.* 275.

Rubbiſh, in repairing buildings, to be carried away in 48 hours. *ibid.* 276.

Dung or manure laid in any ſtreet, *&c.* may be carried away by any perſon. *ibid* 277.

Water from houſes to be conveyed near the ground by pipes or trunks. *ibid.* 278.

Holes opened in the ſtreets to be railed in and watched with lights. *ibid.* 279.

Penalty for riding on carts, cars or drays, without a perſon on foot to lead them. *ibid.* 280.

General iſſue pleadable and double coſts in ſuits on this act. *ibid.* 281.

6 *G.* 1. *c.* 15. Penalty for laying rubbiſh, *&c.* on any waſte ground in the city or liberties of Dublin. *ibid.* 282.

3 *G.* 2. *c.* 13. Proviſions where ſewers or water-courſes are fallen in. *ibid.* 283.

Dublin Paving and Cleanſing.

4 *G.* 1. *c.* 11. Regulations for levelling and paving the publick ſtreets. DUBLIN, 284.

Extent of the pavements to be amended and recovery of the expences. *ibid.* 285.

Inhabitants to ſweep before their door, and the ſcavengers to carry away the dirt two days in every week. *ibid.* 286.

Dublin Paving and Cleanſing.

Perſons to be appointed to take care of the pavements, and to ſweep the ſtreets before churches and church-yards. *ibid.* 287.

General iſſue pleadable and double coſts given. *ibid.* 288.

6 *G.* 1. *c.* 15. Penalty for neglecting to repair pavements after notice. *ibid.* 289.

Appeal to the juſtices at the next quarter-ſeſſions. *ibid.* 290.

Preſentment of ſcavengers to the ſeneſchals of the liberties. *ibid.* 291.

3 *G.* 2. *c.* 13. Church-wardens, *&c.* to perambulate the ſtreets and make returns four times a year. *ibid.* 292.

Complaints of neglect and penalty upon conviction. *ib.*

Diſputes concerning the level of pavements. *ib.* 293.

Penalty on ſcavengers neglecting to carry away the dirt. *ibid.* 294.

Five ſhillings a cart load to be paid to perſons carrying away dirt left by the ſcavengers. *ibid.*

Method of recovering the penalty. *ibid.*

Sums for cleanſing the ſtreets in the liberties how to be aſcertained. *ibid.* 295.

Applotters to be named and ſworn in open court. *ibid.* 296.

Warrant of diſtreſs on refuſal to pay the ſum applotted. *ibid.*

Dublin Porters.

5 *G.* 2. *c.* 17. Perſons plying for hire as porters to enter their names and give ſecurity. DUBLIN, 297.

Tickets or badges to be worn on their outward garment. *ibid.*

Perſons plying without being regiſtered and badged, to be committed to the houſe of correction. *ibid.*

Dublin Saleſmen.

10 *G.* 1. *c.* 10. Security to be entered into by ſaleſmen before the lord mayor. DUBLIN, 298.

Condition of the recognizance and penalty for acting without entering into it. *ibid.*

Market note to be given to owners of cattle ſold, and puniſhment of any fraud committed. *ibid.* 299.

Owners of cattle or perſons employed by them may ſell. *ibid.* 300.

Penalty for hindering owners to ſell their cattle. *ibid.* 301.

Drivers changing cattle ſent to market to be deemed common cheats. *ibid.* 302.

Owners of cattle left on hand by the buyers may ſell them again, and recover damages. *ibid.* 303.

23 *G.* 2. *c.* 15. Bond with two ſufficient ſecurities to be entered into by ſaleſmen. *ibid.* 304.

Penalty of one hundred pounds for acting before ſecurity given. *ibid.* 305.

Saleſmen guilty of fraud to be proſecuted as common cheats. *ibid.* 306.

Owners and perſons employed by them may ſell their cattle. *ibid.* 307.

Suits againſt the ſecurities of ſaleſmen breaking or withdrawing. *ibid.* 308.

31 *G.* 2. *c.* 8. Saleſmen not to be graziers. *ibid.* 309.

Dublin Sheriffs.

29 *G.* 2. *c.* 15. No perſon to act as ſub-ſheriff, *&c.* who had officiated within ten years before. DUBLIN, 310.

Informations not proſecuted to be deemed invalid *ibid.* 311.

Penalty for taking more than legal fees. *ibid.* 312.

Dublin Society.

5 *G.* 3. *c.* 12. For directing the application of eight thouſand pounds granted to the *Dublin Society*, is now expired.

Dublin Streets.

6 *A.* *c.* 14. Cars to be provided for ſoldiers baggage out of the licenſed cars. DUBLIN, 320.

4 *G.* 1. *c.* 7. In what caſes and for what time ſoldiers may be billetted in Dublin. *ibid.* 322.

31 *G.* 2. *c.* 19. Commiſſioners appointed to make a wide and convenient ſtreet from Eſſex-bridge to the caſtle. DUBLIN, 323.

Any five commiſſioners to meet at ſuch times and places in Dublin as they think fit. *ibid.* 324.

And may agree for the purchaſe of buildings and grounds. *ibid.* 325.

All perſons intereſted as truſtees, guardians, *&c.* may convey to ſuch commiſſioners. *ibid.* 326.

Indemnity to perſons ſo conveying to the commiſſioners. *ibid.*

On refuſal to agree for ſale or not producing a clear title, commiſſioners may iſſue a precept to the ſheriff to return a jury. *ibid.* 328.

A jury of 12 out of the number returned to be drawn by ballot. *ibid.*

Jurors impannelled to appear and attend 'till diſcharged. *ibid.*

Challenges to be allowed, but not to the array. *ibid.*

Commiſſioners may ſummon witneſſes, and direct a view by the jury, and adjourn from day to day, and command the attendance of the jurors, witneſſes and parties. *ibid.*

Jury to enquire of the value and title of the intereſt to be purchaſed, and the commiſſioners to give judgment for the value found. *ibid.*

Decrees and proceedings to be fairly engroſſed. *ibid.*

Conveyances to be executed on payment of the purchaſe-money. *ibid.* 329.

On refuſal to convey, or in caſe of doubt who are intitled to the purchaſe-money, it may be paid into chancery. *ibid.* 330.

Claims to be heard ſummarily, and payment to be made according to the ſeveral intereſts. *ibid.*

Proceedings of the commiſſioners and juries to be inrolled in chancery. *ibid.* 331.

On payment and entry of decrees, *&c.* all the eſtate veſted in the commiſſioners. *ibid.*

Bargain and ſale by *feme coverti*, inrolled in 6 months, as effectual as a fine. *ibid.* 332.

All bargains and ſales for the purpoſes of this act, ſhall have the effect of fines or recoveries. *ibid.* 333.

Tenants at will or for a year ſhall deliver poſſeſſion immediately, on tender of rent. *ibid.* 334.

Or ſhall quit the poſſeſſion on 12 months notice. *ibid.*

On

Dublin-Streets.

On refuſal, the commiſſioners ſhall iſſue a precept to the ſheriff to deliver the poſſeſſion. *ibid.*

Sheriffs to deliver poſſeſſion, and to levy the coſts, by diſtreſs and ſale of goods of the party refuſing. *ibid.*

Payments and charges of the commiſſioners ſhall be paid out of the money granted for the purpoſes of this act. *ibid.* 335.

The commiſſioners may fine ſheriffs, *&c.* making default, not exceeding 10 *l.* *ibid.* 336.

Fines to be levied by their order by diſtreſs. *ibid.*

Commiſſioners may ſell or demiſe ground purchaſed above what is neceſſary. *ibid.* 337.

Purchaſe money of ground and old materials how to be applied. *ibid.* 338.

Materials of old buildings to be removed with convenient ſpeed. *ibid.* 339.

Treaſurer and clerks to be appointed by the commiſſioners. *ibid.* 340.

Such officers removeable at pleaſure. *ibid.*

On death or refuſal to act as commiſſioners, the ſurvivors may appoint others. *ibid.* 341.

Like power to diſpoſe of other ſums granted by parliament. *ibid.* 342.

Actions to be brought in 6 months and laid in the county of the city. *ibid.* 343.

Defendants may plead the general iſſue and have treble coſts. *ibid.* 344.

This to be deemed a publick act. *ibid.*

33 G. 2. c. 15. Juries may be diſcharged and a new precept iſſued to return another jury. *ibid.* 345.

Any two commiſſioners may act on trials. *ibid.* 346.

And may impoſe and levy fines on ſheriffs, witneſſes, *&c.* *ibid.*

Tales may be returned on default of jurors. *ibid.* 347.

Commiſſioners to give ſuch matters in charge as to them ſeem expedient. *ibid.* 348.

Oath to be adminiſtered to the jurors. *ibid.*

One or more convenient ways may be made from the bridge to the caſtle. *ibid.* 149.

Truſtees on behalf of their *ceſtique-truſts*, whether infants or iſſue un-born, ideots, or lunaticks, or *femecovverts*, may convey ground, *&c.* *ibid.* 350.

If money be granted to the commiſſioners for other ſtreets, any two of them may act on trials, and any five in other caſes. *ibid.* 351.

All expences, coſts, charges, *&c.* to be paid out of the money received by this or the former act. *ibid.* 352.

The former act, except as altered by this act, to remain in force, for carrying this and the former into execution. *ibid.* 353.

Dublin-Watch.

5 G. 3. c. 17. The act, 10 G. 1. c. 3. revived and continued for ſeven years from the 1ſt of May, 1762. DUBLIN. 354.

10 G. 1. c. 3. Notice of a veſtry to be held in the next week the third Sunday in February yearly. *ibid.* 355.

Nine ſupervifors to be named by the majority of pariſhioners. *ibid.*

Five of them to aſcertain the number of watch-houſes for one year. *ibid.*

Dublin-Watch.

To aſcertain the ſtands, *&c.* and make rules for the watchmen, and to appoint honeſt, able, proteſtant watchmen. *ibid.*

On the death or refuſal of ſupervifors, others to be appointed. *ibid.*

Regulations of the directors to be obſerved by the conſtables and watchmen. *ibid.*

The rules to be printed with the names of the directors, conſtables and watchmen, and poſted in each watch-houſe and on the door thereof. *ibid.*

Times appointed for conſtables to ſet the watch. *ibid.* 356.

Conſtable or his deputy guilty of neglect to forfeit 10*s.* *ibid.*

Church-wardens, *&c.* to meet on Tueſday in Eaſter-week, and chuſe conſtables. *ibid.* 357.

Names of the conſtables to be returned to the lord mayor in 6 days. *ibid.*

To be ſworn before the 1ſt of June, unleſs upon cauſe to be allowd. *ibid.*

If diſapproved, others to be elected on notice, and ſo *toties quoties*. *ibid.*

Conſtables dying, another to be elected in a week after notice. *ibid.*

To be returned, approved of and ſworn, as before. *ibid.*

Conſtables elected, not appearing or refuſing to act or find a ſufficient deputy, forfeit 5*l.* *ibid.*

Forfeiture to be applied for finding a ſufficient deputy. *ibid.*

Alehouſe-keepers or papiſts diſqualified to act as conſtables. *ibid.* 358.

If choſen to pay a fine not exceeding 5 *l.* for a deputy. *ibid.*

Eſquires, half-pay officers, ſheriff's peers, *&c.* not obliged to ſerve. *ibid.* 359.

Conſtables to leave a writing of his abode with the lord mayor, and hang or paint a conſtable's ſtaff at his door. *ibid.* 360.

Return to be made every morning to the lord mayor. *ibid.* 361.

Every houſe to pay 6 d. in the pound of the valuation for miniſter's-money. *ibid.* 362.

To be collected by the church-wardens as they do miniſter's-money. *ibid.*

Payment, a diſcharge to houſe-keepers from watching in perſon. *ibid.*

Houſes ſet without fine for rent leſs than the valuation, to pay according to the rent. *ibid.* 364.

Affidavit by the tenant of the rent paid, and whether any fine. *ibid.* 365.

Church-wardens to account every 6 months to the ſupervifors. *ibid.* 366.

Accounts of ſupervifors to be entered annually in the veſtry books. *ibid.*

Watchmen abſenting, or going into ale-houſes, or found drunk, forfeit 5 *s.* *ibid.* 367.

Conſtables neglecting their duty forfeit 20 *s.* *ibid.*

Preſentments by the grand-jury of the city on the pariſh for additional watch-houſes. *ibid.* 368.

Church-wardens diſcharged from paying watch-money during their continuance. *ibid.* 369.

Dublin-Watch.

No perſon obliged to ſerve a ſecond time as conſtable in the ſame pariſh. *ibid.*

Inhabitants of the ſeveral liberties to watch in turns. *ibid.* 370.

Conſtables to return to the regiſter of the court leet, a liſt of all the inhabitants. *ibid.*

To watch in order as named, for 1 year, as the ſeneſchal ſhall appoint. *ibid.*

Warning to be given every morning to the perſons who are to watch that night. *ibid.*

Hours on which the watch is to be ſet. *ibid.*

Penalties on conſtables for defaults. *ibid.*

Penalty of 1 *s.* on every perſon warned, refuſing to watch or find a watchman. *ibid.*

Penalty on watchmen quitting their ſtation, going into alehouſes, or being found drunk. *ibid.*

Penalties to be recovered before the ſeneſchals and applied to find watchmen. *ibid.*

Applotment of pariſh ceſſes according to the valuation for miniſters-money. *ibid.* 371.

Where there is no valuation, according to the rent paid, or what it might reaſonably be ſet for. *ibid.*

Where the rent paid without fine is leſs than the valuation, according to the rent. *ibid.* 372.

Affidavit of the tenant in poſſeſſion of the rent paid, and whether any fine. *ibid.* 373.

No exemption of any land from ſuch proportion of the publick taxes as they are liable to. *ibid.* 374.

General iſſue pleadable and treble coſts given. *ib.* 375.

The preceding act extended to St. Patrick's-cloſe, by the act 11 *G.* 2. *c.* 13. *ibid.* 376.

3 G. 2. *c.* 13. Perſons choſen as conſtables to be ſworn unleſs diſapproved for a reaſonable cauſe. *ibid.* 377.

Reaſons of diſapprobation to be certified to the miniſter of the pariſh in 8 days. *ibid.*

Churchwardens by order of veſtry to lay the ſame before a judge of the king's bench. *ibid.*

A new election in caſe of diſapprobation. *ibid.*

Conſtable to return the name of his deputy to the veſtry for their approbation. *ibid.* 378.

If diſapproved of, the veſtry may appoint one. *ibid.*

5 *G.* 3. *c.* 22. An additional charge not exceeding 6 *d.* on every houſe, as valued. *ibid.* 379.

To be applotted, levied, and applied as by the former act, 10 *G.* 1. *ibid.* 380.

Superviſors to erect a room and a round houſe contiguous to the watch-houſe in every pariſh. *ibid.* 381.

Directors to appoint the ſtands for watch-men, and in default, the lord mayor to do it. *ibid.* 382.

One or more inſpectors, not exceeding 3 to be appointed by the directors. *ibid.* 383.

Inſpectors to be ſworn and act as conſtables, and be exempt from publick duties. *ibid.* 384.

To viſit the watch-houſes, and make returns to the lord mayor and the directors. *ibid.*

Salary to inſpectors, and removeable for neglects. *ibid.* 385.

Watchmen to be under the direction of the ſuperviſors and inſpectors. *ibid.* 386.

Time of ſetting the watch, and until what hour in the morning. *ibid.*

The lord mayor and ſeneſchals to review the watch every November and May or oftner. *ibid.* 387.

Dublin-Watch.

To diſmiſs watchmen unfit for ſervice by age, infirmity or other cauſes. *ibid.*

Ale-houſe-keepers and papiſts diſqualified to act as directors of the watch. *ibid.* 388.

Deputy conſtables not to act unleſs recommended by the directors to the lord mayor. *ibid.* 389.

Church-wardens within 3 months after Eaſter-Tueſday to enter into office and collect and pay over the watch money to the directors. *ibid.* 390.

Proviſion for watchmen ſuperannuated or diſabled in the ſervice. *ibid.* 391.

Watchmen diſmiſſed for neglect not to be intitled to any proviſion. *ibid.* 392.

The bridges to be watched by the adjoining pariſhes. *ibid.* 393.

Surplus of money raiſed for the watch to be applied by the veſtry. *ibid.* 394.

Dublin-Water.

8 *H.* 7. *c.* 1. Every inhabitant on the poddel, ſhall cleanſe the precinct of his tenements. DUBLIN, 396.

Penalty of 20 *s.* for defaults to be levied by the proctor of the church of St. Patrick. *ibid.*

17 *C.* 2. *c.* 21. Commiſſioners appointed to preſerve St. Patrick's church from inundations from the poddel *ibid.* 397.

Power to meet, inquire into nuſances by ſtopping the water courſe, and to examine on oath. *ibid.*

A record to be made of offences, to remain with the mayor, which ſhall be taken as a full conviction. *ibid.* 398.

And order nuſances to be removed in a reaſonable time. *ibid.*

May impoſe a fine for neglect, not above 5 *l.* and commit the offender. *ibid.*

For a ſecond offence a fine not above 10 *l.* and commitment. *ibid.* 399.

For further offences, offenders to be committed 'till the nuſances are removed. *ibid.* 400.

Commiſſioners may order new vaults, or cut into old ones, and remove all nuſances or incroachments *ibid.* 401.

Satisfaction to be made for ſuch as have continued above 30 years. *ibid.* 401.

Lord chancellor on petition to adjuſt the ſatisfaction to be made. *ibid.*

Fines to be levied by warrant under ſeal of the commiſſioners to the conſtables. *ibid.* 402.

The money levied to be diſpoſed of towards the removal of the nuſances. *ibid.*

Penalty on conſtables neglecting to execute warrants. *ibid.* 403.

Impriſonment not above 6 months, and fine not above 5 *l.* *ibid.*

Gaolers to receive and detain offenders on pain of 5 *l.* *ibid.*

The commiſſioners may aſſeſs the dean and prebends, and the inhabitants of Patrick's-ſtreet, and all others within danger of inundation, to make a new current or cleanſe the old. *ibid.* 404.

No perſon to be taxed above 5 *l.* in one year. *ibid.*

Aſſeſſment

Dublin-Water.

Aſſeſſment to be equally rated on the inhabitants, and levied by diſtreſs and ſale. *ibid.*

General iſſue pleadable, and treble coſts given. *ibid.* 405.

Commiſſioners may appoint a treaſurer, and clerks. *ibid.* 406.

6 *G.* 1. *c.* 16. The corporation of the city of Dublin ſhall quietly enjoy the water courſe out of the river Dodeer. *ibid.* 407.

May enter grounds to amend the ſame, and keep the head-wear at the uſual hight. *ibid.*

May uphold the banks and ſtop cuts or breaches made to divert the water, within 20 years. *ibid.*

If moleſted, the perſons interrupting forfeit 10*l.* to be applied to the blue-coat hoſpital and the informer. *ibid.*

New paſſages may be made four feet and a half in breadth, or pipes laid through the adjoining grounds. *ibid.* 408.

But not through houſes or gardens, and ſo as there be but one water courſe. *ibid.*

Satisfaction to be made to the owners, and in default of agreement, to be ſettled by commiſſioners or a jury. *ibid.*

Six perſons of the county and 6 of the county of the city of Dublin, to be appointed commiſſioners. *ibid.* 409.

Commiſſioners to have lands of the value of 100*l. per ann. ibid.*

Any 9 of them to order what ſum ſhall be paid to owners for ſatisfaction. *ibid.*

Commiſſioners may examine on oath. *ibid.* 410.

Six days notice of the time and place of meeting to be given in writing. *ibid.* 411.

Agreement or payment to be made before digging. *ibid.* 412.

No tucking mill allowed on the water-courſe from Templeoge to Dublin. *ibid.* 413.

Penalty of 20*l. per* month to the blue-coat hoſpital and informer.

Satisfaction to be made for mills already erected.

No dyer, skinner, &c. ſhall dip therein cloth, yarn, skins, wool, &c. *ibid.*

No houſe of eaſe permitted thereon within one mile of Dublin. *ibid.* 415.

Penalty of five pounds *per* month to the informer. *ib.*

No kind of mill ſhall be built thereon, nor thoſe now building uſed for mills. *ibid.* 416.

Penalty of two hundred pounds, and for uſing afterwards for mills 20*l. per* month. *ibid.*

No miller ſhall ſtop the water-courſe in May, June, July or Auguſt. *ibid.* 417.

Penalty of ten pounds to be recovered by civil bill. *ibid.*

Breaking the banks or diverting the water, penalty of five pounds. *ibid.* 418.

General iſſue pleadable and double coſts given. *ib.* 419.

Dublin-Workhouſe.

1 *G.* 2. *c.* 27. The corporation eſtabliſhed by the act, 1 *An.* *c.* 19 diſſolved. DUBLIN, 430.

A new corporation created to continue for ever in the county of the city of Dublin. *ibid.* 431.

Dublin-Workhouſe.

On vacancies, the governors to elect another. *ib.* 432.

Corporation to be called the governors of the workhouſe of the city of Dublin. *ibid.* 433.

To have a common-ſeal, may ſue and be ſued, and may take lands without licence. *ibid.*

May appoint a treaſurer and overſeer during pleaſure at a ſalary of 60*l.* a year. *ibid.* 434.

And may appoint a regiſter at 25*l.* a year. *ibid.*

Such officers to act in perſon unleſs in caſe of ſickneſs or neceſſary abſence. *ibid.*

May make by-laws for the government of the houſe. *ibid.*

All rights of the former corporation veſted in this new corporation. *ibid.* 435.

All actions depending by or againſt the former corporation ſhall be carried on. *ibid.* 436.

Perſons appointed to collect money ſhall give receipts. *ibid.* 437.

Powers given to the former corporation veſted in the governors. *ibid.* 438.

All accounts to be given in upon oath. *ibid.*

Governors to appoint fifteen at leaſt of their body aſſiſtants, who may execute regulations made. *ibid.* 439.

And inſpect into the management of Bridewell. *ibid.*

Three pence *per* pound to be charged on houſes, according to the valuation for miniſters money. *ibid.* 440.

Or if there is no valuation according to the rent payable, or what it might be ſet for in caſe a ground rent only is paid. *ibid.*

To be charged on the inhabitants, and levied by diſtreſs, &c. by the church-wardens. *ibid.*

Money for licences of coaches, &c. and all penalties not otherwiſe diſpoſed of, veſted in the governors. *ibid.* 441.

General iſſue pleadable and double coſts given. *ib.* 442.

3 *G.* 2. *c.* 17. Church-wardens at the end of every ſix months to collect the duties on houſes and account upon oath before the governors. *ibid.* 444.

Forſwearing themſelves to incur the penalties of perjury at common law. *ibid.* 445.

Refuſing or neglecting to collect account to pay the duty to forfeit 50*l.* *ibid.*

Valuation of houſes *extra-parochial* how to be made. *ibid.* 446.

To be returned to the court of aſſiſtants on oath. *ib.*

Three pence *per* pound to be collected and accounted for by ſuch church-wardens of a neighbouring pariſh. *ibid.*

Additional ſum of three pence *per* pound on every houſe to be collected as the former charge. *ibid.* 447.

No money to be levied at veſtries for the maintenance of foundlings. *ibid.*

The additional three pence in the pound to be applied to the maintenance of foundlings. *ibid.* 448.

The governors ſhall keep a diſtinct account thereof. *ibid.*

5 *G.* 2. *c.* 14. The governors of the work-houſe may appoint collectors of the tax of three pence a pound on houſes. *ibid.* 451.

May allow ſalaries to collectors not exceeding ſix pence a pound. *ibid.*

Dublin-Workhouſe.

The additional three pence a pound for foundlings continued for the ſame term as the former. *ibid.* 452.

No money to be raiſed by veſtry for foundlings during that term. *ibid.*

Governors may appoint receivers to collect and account as the church-wardens were obliged to do. *ibid.* 453.

Church-wardens neglecting to value houſes, *&c.* ſhall forfeit fifty pounds. *ibid.* 454.

19 *G.* 2. *c.* 21. In ſuits by or againſt the governors for taxes what proof ſhall be ſufficient. *ibid.* 455.

Governors may ſummon tenants to produce their leaſes, where the taxes are charged according to the rents. *ibid.* 456.

On neglect for twenty days four perſons may be appointed to value the houſes. *ibid.*

Valuation of houſes where a ground rent only is payable. *ibid.* 457.

Exceedings on other revenues of the work-houſe may be applied for foundling. *ibid.* 458.

Governors may by demiſe or mortgage raiſe money to pay debt. *ibid.* 459.

Continuation of the taxes for twenty-one years, *ibid.* 460.

Duncannon Fort.

10 *W.* 3. *c.* 15. Truſt of Duncannon Fort lands in whom to be veſted. DUNCANNON FORT.

Dungarvan.

34 *H.* 8. *ſeſſ.* 2. *c.* 1. Manor, *&c.* of Dungarvan granted to the King. DUNGARVAN.

Eaſt India Company.

9 & 10 *W.* 3. *c.* 44. *Eng.* Act for erecting the Eaſt India Company, and penalty on other perſons trading there, *&c.* EAST INDIA COMPANY, 1 to 4.

5 *G.* 1. *c.* 21. *Brit.* } Penalty on perſons repairing to the
7 *G.* 1. *c.* 21. *Brit.* } Eaſt Indies to trade, and in what manner they may be proceeded againſt, *&c. ibid.* 5 to 20.

9 *G.* 1. *c.* 26. *Brit.* Penalty on perſons contributing to carry on any foreign company in the Eaſt Indies, how recoverable, and when to be proſecuted. *ibid.* 20 to 31.

3 *G.* 2. *c.* 14. *Brit.* Act for continuing the powers of the Eaſt India company. *ibid.* 32, 33.

Eaſt India Goods, vide India Goods.

5 *G.* 1. *c.* 11. *Eng.* Silks, *&c.* of the manufacture of Perſia imported to Ireland from any other place than Great-Britain, forfeited, *&c.* Penalty on officers, *&c.* conniving at ſuch importation. CUSTOMS, 167.

7 *G.* 1. *c.* 21. *Eng.* Eaſt India goods imported into Ireland, *&c.* except ſhipped in Great Britain, forfeited, *&c.* INDIA GOODS, 1.

Penalty on officers conniving, *&c. ibid.*

Eaſtland Trade.

25 *C.* 2. *c.* 7. Every perſon may trade to Sweden, Denmark and Norway. EASTLAND TRADE, 1.

Subjects may be admitted into the fellowſhip of Eaſtland, paying 40*s.* *ibid.* 2.

Eccleſiaſtical Perſons and Juriſdictions.

3 *E.* 1. *c.* 1. *Eng.* The peace of the holy church, *&c.* ſhall be kept, and common right done to all. ECCLESIASTICAL PERSONS, &c. 1.

9 *E.* 2. *c.* 3. *Art. cler.* Perſons laying violent hands on clerks ſhall be excommunicated. *ibid.* 4.

—— *c.* 13. *Art. cler. Eng.* The examination of a perſon preſented to a benefice belongs to the eccleſiaſtical judge. *ibid.* 6.

18 *E.* 3. Stat. 3. *c.* 6. *Eng.* Temporal judges not to make inquiry of proceſs awarded by the ſpiritual judges. *ib.* 7.

25 *E.* 3. *c.* 8. *Eng.* Conuſance of the avoidance of benefices belongs to the eccleſiaſtical judges. *ibid.* 8.

1 *R.* 2 *c.* 13. *Eng.* Eccleſiaſtical judges ſhall not be indicted for ſuits for tithes in the ſpiritual courts. *ib.* 11.

37 *H.* 8. *c.* 17. *Eng.* Doctors of civil law may exerciſe eccleſiaſtical juriſdiction as chancellors, *&c. ibid* 16.

2 *Eliz. c.* 2. No foreign prince, prelate, *&c.* ſhall uſe any eccleſiaſtical or ſpiritual juriſdiction in this kingdom. *ibid.* 17.

17 & 18 *C.* 2. *ſeſſ.* 5. *c.* 10. No biſhop or clergyman to enjoy any benefices or livings in England and Ireland at the ſame time. *ibid.* 19.

7 *W.* 3. *ſeſſ.* 1. *c.* 6. No adminiſtrator ſhall be cited into any eccleſiaſtical court to render an account otherwiſe than by inventory, unleſs at the inſtance of a minor, next of kin or creditor. ADMINISTRATORS, 13.

8 *An. c.* 3. A reward of 50*l.* for apprehending popiſh archbiſhops, *&c.* exerciſing any foreign eccleſiaſtical juriſdiction, *&c.* and 20*l.* for regular and ſecular clergy not regiſtred. PAPIST, 90.

6 *G.* 1. *c.* 6. No citation *ex mero officio* for crimes or immoralities ſhall iſſue out of any eccleſiaſtical court after two years from the crime. CITATIONS, 1.

Egyptians.

10 & 11 *C.* 1. *c.* 4. Egyptians to be puniſhed as vagabonds. EGYPTIANS.

Ejectment.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 8. Defendant to have coſts in ejectment or other action, where the plaintiff was intitled. ERROR, 4.

17 & 18 *C.* 2. *ſeſſ.* 5. *c.* 12. After firſt judgment in dower or ejectment, execution to be awarded for the ſame. *ibid.* 7.

11 *An. c.* 2. Where half a years rent is due and no diſtreſs found, the landlord having right to re-enter, may bring ejectment for the premiſſes, *&c.* RENTS, 14.

On payment or tender of the rent and coſts before trial, the ejectment to ceaſe, *&c. ibid.* 17.

4 *G.* 1. *c.* 5. Landlord, *&c.* from whom a diſtreſs is reſcued, may bring ejectment as if no diſtreſs was found, *&c.* DISTRESS, 22.

Where one years rent is behind, though a diſtreſs is found, the landlord may bring ejectment, and the ſum in arrear ſhall be aſcertained by the judge or jury, *&c.* RENTS, 21.

Ejectment.

5 *G.* 2. *c.* 4. Ejectment may be brought for non-payment of rent, though there be no clauſe of re-entry in the leaſe, *&c. ibid.* 31.

25 *G.* 2. *c.* 13. Ejectment maintainable for non-payment of rent of lands held under articles, *&c.* and the poſſeſſion ſhall be recovered as if ſuch article contained an actual demiſe or clauſe of re-entry in the leaſe, *&c. ibid.* 46.

The original article or a copy, *&c.* in what caſes to be admitted as evidence on trials in any ſuch ejectment. *ibid.*

Elections of Biſhops, &c.

3 *E.* 1. *c.* 5. *Eng. Weſt.* 1. Penalty on any diſturbing free elections, *&c.* ELECTIONS, 1.

9 *E.* 2. *c.* 14. *Eng.* Free election for the dignities of the church. *ibid.* 2.

9 *H.* 4. *c.* 9. *Eng.* Elections of archbiſhops, *&c.* to be free, without command of the King, *&c.* ſaving to the King his liberties. *ibid.* 3.

Elections for Members of Parliament.

See Parliament.

Elegit.

13 *E.* 1. *c.* 18. *Eng. Weſt.* 2. He that recovereth a debt or damage in the King's court, may at his choice have a *fieri facias* of the lands and chattels of the debtor, or againſt all the chattels, and a moiety of the land. EXECUTION, 1.

Elopement.

13 *E.* 1. *c.* 34. *Eng.* If a wife elope from her huſband and continue with the adulterer, ſhe forfeits her dower, unleſs the huſband willingly receive her. RAPE, 2.

Emblements.

20 *H.* 3. *c.* 2. *Eng. Mert.* Widows may bequeath their crop and dower ſaving to lords their ſervices. EMBLEMENTS.

Embracery, See Maintenance.

10 *C.* 1. *ſeſſ.* 3. *c.* 15. None to embrace jurors, *&c.* on pain of 10*l.* proſecution to be in a year. MAINTENANCE, 15.

Engliſh Language.

36 *E.* 3. *c.* 15. *Eng.* All pleadings ſhall be in Engliſh but entered and inrolled in Latin. PLEADINGS, 5.

28 *H.* 8. *c.* 15. Archbiſhops, *&c.* giving ordination to ſwear the perſon taking orders, *&c.* to teach Engliſh, *&c.* penalty on biſhops offending. SCHOOLS, 1, 2.

9 *W.* 3. ſeſſ. 1. c. 38. Proceedings in inferior courts holding plea of 40*s.* only may be in Engliſh. PLEADINGS, 25.

4 *G.* 2. c. 6. Writs, proceſs, *&c.* and all pleadings whatſoever to be in the Engliſh language. PLEADINGS, 36 to 40.

7 *G.* 2. *c.* 8. Officers of the exchequer to make up their accounts in Engliſh. EXCHEQUER, 36.

Engliſhry.

14 *E.* 3. Stat. 1. c. 4. *Eng.* Engliſhry and the preſentment thereof wholly taken away for ever. ENGLISHRY.

Engliſh Statutes.

18 *H.* 6. *c.* 1. No purveyors, *&c.* allowed in this kingdom, and all ſtatutes in this behalf made in England to be in force in Ireland. PURVEYANCE, 2.

8 *E.* 4. *c.* 1. By this act, the act of 6 *R.* 2. *c.* 6. *Eng.* is put in force, that the raviſher and raviſhed are both diſabled (where ſhe conſents after) to challange any inheritance. RAPE, 4

10 *H.* 7. *c.* 22. All ſtatutes made in England concerning the common weal to be uſed and executed in Ireland, and all ſtatutes to the contrary to be void. CONFIRMATION OF STATUTES, 3.

14 *H.* 7. *c.* 1. All acts made in England for puniſhing cuſtomers, *&c.* merchants, *&c.* to be in force in Ireland, *&c.* CUSTOMS, 17.

10 *C.* 1. ſeſſ. 3. c. 15. All ſtatutes heretofore made in England relating to champerty, *&c.* being now in force to be executed in Ireland. MAINTENANCE, 13.

Entry.

52 *H.* 3. *c.* 29. *Eng. Marlb.* When ſo many alterations have been that the writ of entry cannot be made in the uſual form plaintiff to have a writ of entry *ſur diſſeiſin en le poſt.* WRIT OF ENTRY, 1.

6 *E.* 1. *c.* 7. *Eng. Gloc.* If a woman alien her dower in fee for life, the next heir, *&c.* ſhall recover by writ of entry. DOWER, *&c.* 4.

13 *E.* 1. *c.* 3. *Eng. Weſt.* 2. A writ of entry called *cui in vita* is given to the wife to recover her lands loſt by the default of the huſband, *&c.* CUI IN VITA, 1.

10 *C.* 1. ſeſſ. 2. *c.* 6. None to make entry but within 20 years from his title. LIMITATIONS, 3.

10 *C.* 1. ſeſſ. 2. *c.* 7. Diſſeiſors dying ſeized, not being 5 years in poſſeſſion without claim, *&c.* ſhall be no diſcent to toll the entry of the diſſeiſee. ENTRY.

6 *A. c.* 10. No claim or entry made on lands, *&c.* ſhall avoid any fine with proclamations. FINES, 24.

15 *G.* 2. *c.* 8. In actions of treſpaſs brought for entry on lands for rent, defendant may plead the general iſſue, *&c.* DISTRESS, 30.

Equity of Redemption.

9 *W.* 3. *c.* 36. Perſon who makes ſecond mortgage of lands and conceals a prior mortgage, is barred of equity of redemption againſt ſecond mortgagee. MORTGAGES, 2.

8 *A. c.* 3. Fines, recoveries, *&c.* by papiſts ſince January 1703, to bar a proteſtant in remainder, *&c.* void (except conveyances, *&c. bona fide*) and the proteſtant in remainder to have the equity of redemption of ſuch mortgage. PAPISTS, 76, 77.

8 *G.* 1. *c.* 4. Mortgagees 20 years in poſſeſſion may plead it in bar to any action by the perſon intitled to the equity of redemption. LIMITATIONS, 24.

Error.

31 *E.* 3. *c.* 12. *Eng.* The lord chancellor and treaſurer, *&c.* to correct erroneous judgment in the exchequer. ERROR, 1.

9 *R.* 2. *c.* 3. *Eng.* Reverſioners to have an attaint or writ of error upon a falſe verdict or erroneous judgment. *&c. ibid.* 2.

4 *H.* 4. *c.* 13. *Eng.* Judgments ſhall continue and have their force till they are attaint of error. JUDGMENTS, 1.

8 *H.* 6. *c.* 12. *Eng.* No record to be reverſed for error aſſigned by reaſon of erazing, interlineations, *&c.* RECORDS, 4.

33 *H.* 8. *ſeſſ.* 2. *c.* 3. After iſſue tried in B. R. C. B. or exchequer, judgment ſhall be given notwithſtanding any miſpleading, *&c.* and not to be reverſed by error of ſuch faults. PLEADINGS, 7.

11, 12, 13 *J.* 1. *c.* 8. In a writ of error on reverſing outlawries for want of proclamation, the defendant to put in bail. OUTLAWRY, 7.

10 *C.* 1. *ſeſſ.* 2. *c.* 6. If any judgment, *&c.* be given for the plantiff on reverſal by error or outlawry, the plaintiff has one year after the reverſal to bring his action. LIMITATIONS, 12.

10 *C.* 1. *ſeſſ.* 3. *c.* 8. } 7 *W.* 3. *c.* 35. } No execution ſhall be ſtayed by writ of error in the four courts, *&c.* till recognizance entered into. ERROR, 4, 9.

15 *C.* 1. *c.* 5. 8 *G.* 1. *c.* 6. The not coming of the lord chancellor, *&c.* at the day of adjournment in error, *&c.* ſhall be no diſcontinuance of the writ, *&c. ibid.* 5, 15.

17 & 18 *C.* 2. ſeſſ. 5. c. 12. No execution, *&c.* ſhall be ſtayed in the courts of Dublin or Tipperary by writ of error in perſonal actions, *&c. ibid.* 6

The court upon affirming, *&c.* the judgment to iſſue a writ to inquire of the menſe profits, *&c. ibid.* 7.

Not to extend to writs of error to be brought by executors. *ibid.* 8.

The death of either party between verdict and judgment ſhall be no error, *&c.* SUITS, 2.

7 *W.* 3. ſeſſ. 1. *c.* 25. After verdict the defendant in error ſhall have double coſts on affirming judgment, not to extend to popular actions, indictments, *&c.* ERROR, 10, 11.

6 *A. c.* 10. The defendant in error on quaſhing the writ for variance or other defect to have coſts. ERROR, 12.

6 *G.* 1. *c.* 6. No judgment to be reverſed unleſs the writ of error be brought in 20 years. ERROR, 13.

Saving for infants and perſons confined beyond the ſeas. *ibid.* 14.

1 *G.* 2. *c.* 17. Lord chancellor or chief juſtices may determine errors in the exchequer chamber. *ibid.* 16.

Eſcapes.

1 *R.* 3. *c.* 3. *Eng.* Juſtices of peace have power, *&c.* to inquire of eſcapes of felons. JUSTICES OF PEACE, 18.

7 *W.* 3. ſeſſ. 1. c. 25. If a plaintiff have judgment and a rule to the gaoler to detain the priſoner, if he ſuffer eſcape he ſhall be anſwerable. PRISONS, *&c.* 9.

8 *A. c.* 7. Priſoners eſcaping out of the four-court marſhalſea, *&c.* juſtices are required to give ſearch warrants as in caſes of felony. PRISONERS, *&c.* 23.

Priſoners retaken on ſuch warrant eſcaping out of any gaol, meriffs to be liable for the eſcape. *ibid.* 24.

Eſcheators.

14 *E.* 3. *c.* 8. *Eng.* Eſcheators to be choſen by the chancellor, treaſurer, *&c.* and to remain but one year in office. ESCHEATORS, 1.

34 *E.* 3. *c.* 13. *Eng.* Eſcheators inqueſt to be taken by good men reſident in the county, *&c.* ESCHEATORS, 2.

36 *E.* 3. *c.* 13. *Eng.* Lands ſeized into the king's hands, ſhall be ſafely kept without waſte. *ibid.* 3.

The eſcheator ſhall anſwer to the king of the iſſues, *&c.* of wood, *&c.* yearly, on pain, *&c. ibid.*

If any claim the lands ſeized, the eſcheator how to proceed, *&c.* on pain, *&c. ibid.*

42 *E.* 3. *c.* 5. *Eng.* Eſcheators to have 20*l. per ann.* in fee, *&c.* on putting in another the office determines. *ibid.* 4.

8 *H.* 6, *c.* 16. *Eng.* Taking other inqueſts than impanelled by the ſheriff to forfeit 40*l.* Lands ſeized by eſcheators not to be let to farm before the office be fully returned. *ibid.* 5.

18 *H.* 6. *c.* 6. *Eng.* No lands to be granted before the king's title be found by inquiſition, *&c.* but to a traverſer. *ibid.* 6.

18 *H.* 6. *c.* 7. *Eng.* Penalty on eſcheators not returning an office found into chancery, *&c.* within one month. *ibid.* 7.

23 *H.* 6. *c.* 17. *Eng.* Eſcheators to take the inqueſt in a month after delivery of the writ. *ibid.* 8.

Perſons traverſing any office before eſcheators, who have a *ſcire facias* againſt any patentee, no protection ſhall be allowed. *ibid.* 9.

Deputy eſcheator muſt certifie his deputation into the exchequer, *&c. ibid.* 10.

Juſtices of peace to hear and determine defaults of eſcheators, *&c. ibid.*

Not to reſtrain corporations having power, *&c.* to appoint eſcheators. *ibid.*

33 *H.* 6. *c.* 4. Statutes made againſt eſcheators of equal force againſt commiſſioners. Not to extend to judges, *&c. ibid.* 11.

Eſſoigns.

52 *H.* 3. *c.* 13. *Eng. Marlb.* After iſſue joined in dower, *&c.* one eſſoign, *&c.* only allowed, if the party come not, the inqueſt to be taken, *&c.* ESSOIGNS, 1.

c. 19. *Eng.* None ſhall need to ſwear to warrant his eſſoign. *ibid.* 2.

3 *E.* 1. *c.* 42. *Eng. Weſt.* 1. In writs of aſſiſe, *&c.* after appearance, the tenant not to be eſſoigned. *ibid.* 3.

c. 43. *Weſt.* 1. *Eng.* Parceners and jointenants infeoffed to have but one eſſoign, as if one tenant held the whole lands. *ibid.* 4.

c. 44. *Eng. Weſt.* 1. Eſſoign *ultra mare* not to be allowed, but if tenant be within four ſeas to be returned into a default. *ibid.* 5.

6 *E.* 1. *c.* 10. Stat. *Glouc. Eng.* A man and his wife to have but one eſſoign as in caſe of parceners. *ibid.* 6.

13 *E.* 1. *c.* 17 *Weſt.* 2. *Eng.* No eſſoign *de malo lecti.* ſhall be allowed for lands in the ſame ſhire, except where the party is ſick, and then the eſſoign to be taken as a default. *ibid.* 7.

c. 27. *Weſt.* 2. *Eng.* An eſſoign may be allowed the next day after the inqueſt, *&c. ibid.* 8.

No

Eſſoigns.

No eſſoign ſhall be allowed upon a day given *prece partium*, or where the parties conſent. *ibid.*

12 *E.* 2. *Eng.* Stat. *de eſſoign.* In what caſes eſſoigns, *&c.* lie, and eſſoign de *ſervitio regis* lies not. *ibid.* 10.

Eſtreats.

16 *E.* 2. *Eng.* Stat. *of eſtreats.* Eſtreats to be entred on all fines and lodged in the rolls, and the date of the fine to be entred in the eſtrate, and how they may be diſcharged. ESTREATS, 1, 2, 3.

Charters of gift to be entered in ſuch eſtreat, and the names of the perſons to inquire therein for that year, at the end of eſtreats, *rediſſeiſin*, &c. *ibid.* 4, 5, 6

Eſtreats to be delivered by the ſteward of the King's houſe to the treaſurer of the exchequer yearly, and the clerk of the market to be charged to give in eſtreats. *ib.* 8, 9.

42 *E.* 3. *c.* 9. *Eng.* Party chargeable by eſtreats of green wax upon payment to ſee the ſchedules under ſeal, *&c.* Penalty on ſheriff not totting the ſame. *ibid.* 15.

7 *H.* 4. *c.* 3. *Eng.* The rolls of eſtreats of iſſues, *&c.* forfeited ſhall be made certain. *ibid.* 16.

Eſtrepement.

6 *E.* 1. *c.* 13. *Eng.* No waſte ſhall be made pending a ſuit for the land. ESTREPEMENT.

8 *G.* 1. *c.* 2. No privilege of parliament ſhall be allowed in ſuit or motion for eſtrepement. PARLIAMENT. 39.

Exceptions.

13 *E.* 1. *c.* 31. *Eng. Weſt.* 2. If the juſtices refuſe to allow a bill of exceptions, the party impleaded may require their ſeals to it, *&c.* EXCEPTIONS.

33 *H.* 8. Seſſ. 2. *c.* 3. This ſtatute of *Jeofail* not to extend to exceptions moved before a judge and not allowed. PLEADINGS. 11.

Exchequer.

51 *H.* 3. *Eng.* Stat. *Scaccij.* All ſheriffs, *&c.* and other officers to account in the exchequer to the treaſurer, *&c.* about the feaſt of St. Margaret before cloſe of the exchequer, &c. EXCHEQUER, 1, to 10.

10 *E.* 1. *Eng. Stat. Rut.* The bodies of ſhires to be written in a certain annual roll, and read every year on the accompting of ſheriffs, &c. two knights in every county to be preſent at delivery of tallies, *&c.* inquiſitors to be appointed in every county of debts due, *&c.* no ſuit to be commenced in the exchequer, unleſs it concern the King, *&c.* *ibid.* 11 to 20.

20 *E.* 1. *c.* 4. *Eng. Stat. ſup. chart.* No common pleas to be held in the exchequer contrary to the great charter. *ibid.* 21.

27 *E.* 3. *c.* 4. *Eng.* The clerk of the remembrance ſhall ſit againſt the clerk of the pipe and take notice, *&c.* of all diſcharges, *&c.* *ibid.* 22.

1 *R.* 2. *c.* 5. *Eng.* Penalty on any officer in the exchequer, making out proceſs for a debt paid. *ibid.* 23.

5 *R.* 2. *c.* 10. *Eng.* Every perſon impeached in the exchequer may plead there, *&c.* *ibid.* 24.

Exchequer.

c. 13. *Eng.* No accounts of *nihil* admitted but upon oath, *&c.* *ibid.* 27.

c. 15. *Eng.* The clerk of the pipe, *&c.* to be ſworn to make due entries every term of all writs, *&c.* *ibid.* 28.

c. 16. *Eng.* Perſons procuring the tenor of the records to be ſent into the exchequer to diſcharge them, *&c.* the remembrancer, *&c.* ſhall cauſe the ſuit to ceaſe. *ibid.* 29.

c. 17. *Eng.* Clerks fees in the exchequer for making out a commiſſion, and for the record of a *Niſi prius* without the writ. *ibid.* 30.

13 R. 2. *c.* 14. No recognizance, *&c.* of the double recognizance for the King's debts, *&c.* ſhall be taken in the exchequer if the King have ſufficient ſurety for his duty. *ibid.* 31.

28 *H.* 6. Seſſ. 2. c. 1. No remembrancer or his deputy ſhall iſſue any writ againſt a perſon that hath a diſcharge for the ſame on record in the exchequer on pain, *&c.* *ibid.* 34.

38 *H.* 6. *c.* 1. None to ſue in the exchequer in Ireland unleſs the plaintiff be a miniſter, *&c.* of the court. *ibid.*

7 *E.* 4. *c.* 4. The lieutenant, &c. may by 28 days garniſhment, remove the exchequer or common pleas, *&c.* *ibid.* 35.

1 *R.* 3. *c.* 14. If any diſme be granted by either province of the clergy, if the collectors come before the barons of the exchequer and enter in their account, they ſhall not be obliged to anſwer bills put againſt them, but only touching the account, *&c.* *ibid.* 32.

Accountant to have no privilege in the exchequer. *ibid.*

17 *G.* 2. *c.* 8. Officers belonging to the court of the receipt of the exchequer to make up and ingroſs their accounts in Engliſh. *ibid.* 36.

Exchequer Acquittances

3 *G.* 2. *c.* 4. Felony to ſteal exchequer acquittances. FELONY, &c. 55.

Exciſe, See Cuſtoms, &c.

Excommunication.

37 *H.* 3. *Eng.* Excommunication to be denounced, *&c.* againſt breakers of the liberties, *&c.* of the church. EXCOMMUNICATION, 1.

9 *E.* 2. *c.* 7. *Eng.* King's letter not to iſſue but where his liberty is prejudiced by the excommunication, and where perſons are excommunicated for contumacy. *ibid.* 2, 3.

9 *E.* 3. Stat. 2. c. 12. *Eng.* Biſhops may excommunicate perturbers of the peace of the church, *&c.* *ibid.* 4.

Excommunicato capiendo.

23 *G.* 2. *c.* 12. No writ of excommunication to iſſue againſt perſons for not paying pariſh clerks due, *&c.* PARISH CLERKS, 6.

Execution.

13 *E.* 1. c. 18. *Eng. Weſt.* 2. He that recovereth a debt, *&c.* in the King's courts, *&c.* may have a *fier' fac'* of the lands, *&c.* of the debtor, or againſt all the chattles and a moiety of the land. EXECUTION, 1.

13 *E.* 1. *c.* 45. *Eng. Weſt.* 2. Writ of execution ſhall be within the year, *&c. ſcir' fac'* after the year. *ibid* 2.

2 *H.* 5. *c.* 2. *Eng.* If a *corpus cum cauſa* or *certiorari* be granted to remove a perſon in execution, he ſhall be remanded. CORPUS CUM CAUSA.

10 *C.* 1. Seſſ. 3. c. 7. Land delivered in execution recovered by a title to which they were liable before the debt is paid, plaintiff, *&c.* may have a *ſcir' fac'* againſt the defendant, *&c.* EXECUTION, 3.

10 *C.* 1. Seſſ. 3. c. 8.
17 & 18 *C.* 2. c. 12. } No execution to be ſtayed by writ of error, &c. unleſs plaintiff therein, with two ſufficient ſureties enter into a recognizance, *&c.* ERROR, 4, 6.

10 *C.* 1. Seſſ. 3. c. 9. Plaintiff, his executors, *&c.* on defendant's dying after execution obtained, may ſue execution againſt his lands and goods, *&c.* except where ſuch lands are ſold, *&c.* EXECUTION, 4, 5.

7 *W.* 3. *c.* 12. No writ of execution ſhall bind the property of the goods of defendant but from time of delivery of the writ to the ſheriff. EXECUTION, 9.

6 *A. c.* 7. Penalty on ſheriffs, *&c.* neglecting to execute executions, or extorting fees, and on their default, coronors may execute ſuch executions, and what fees thereon. EXECUTION, 10 to 15.

8 *A.* c. 11. In what caſes parties may have execution, *&c.* on promiſſory notes, *&c.* indorſed. BILLS AND NOTES, 1.

9 *A. c.* 8. No goods, *&c.* ſhall be removed from off any land by any execution, *&c.* unleſs the party pay the rent due to the landlord, *&c.* RENTS, 4.

9 *G.* 2. *c.* 5. Execution to whom to be granted upon judgments aſſigned. JUDGMENTS, 11.

Executors.

4 *E.* 3. *c.* 7. *Eng.* Executors to have the like writs as teſtator. EXECUTORS, 1.

9 *E.* 3. *c.* 3. *Eng.* In actions of debt againſt executors, but one eſſoign ſhall be allowed. *ibid.* 2.

25 *E.* 3. *c.* 5. *Eng.* Executors of executors to have like actions as firſt executors. *ibid.* 3.

31 *E.* 3. *c.* 11. *Eng.* Adminiſtration to be granted to an inteſtate's next friend, who may ſue as if he had been appointed executor. ADMINISTRATORS, 1.

28 *H.* 8. *c.* 18. Executors or adminiſtrators with two legatees, *&c.* to make a true inventory, *&c.* of all the wares, *&c.* ADMINISTRATORS, 5.

10 *C.* 1. Seſſ. 3. *c.* 10. Any perſon obtaining any of the goods, *&c.* of the inteſtate, or a releaſe by fraud, *&c.* ſhall be charged as executor in his own wrong, *&c.* EXECUTORS, 4.

7 *W.* 3. Seſſ. 1. *c.* 6. Executors, *&c.* of executors *de ſon tort* waſting the goods of the deceaſed liable to make good the ſame. EXECUTORS, 5.

9 *W.* 3. Seſſ. 1. c. 35. The executor, *&c.* of either plantiff or defendant may by *ſcire facias* proceed to final judgment. SUITS, 8.

Executors.

6 *A. c.* 8. No privilege for members of parliament in ſuits againſt them as executors, *&c.* PARLIAMENT, 29.

c. 10. Actions of account may be maintained againſt the executors, *&c.* of a guardian, *&c.* and by one jointenant and tenant in common, his executors, *&c.* againſt the other and his executors, *&c.* ACCOUNT, 5.

5 *G.* 2 *c.* 4. In what manner ſheriffs, *&c.* ſhall return *devaſtavit* by executors. EXECUTORS, 6.

9 *G.* 2. *c.* 5. Executors and their aſſignees, *&c.* may revive judgments for any debts, *&c.* JUDGMENTS, 10 to 13.

25 *G.* 2. *c.* 8. Perſons ſued as executors may on giving notice where the debts are mutual between the teſtator and the party ſet one debt againſt the other. DEBTS, 1.

Exemplification.

12 *E. c.* 2. All exemplifications of records, *&c.* under the great ſeal of Ireland, and the ſeals of the king's bench, *&c.* ſubſcribed by the lord chancellor, *&c.* ſhall be evidence in all courts, *&c.* EXEMPLIFICATIONS, 1.

The clauſe of *in cujus rei teſtim' his literis noſt. pat. tam*, &c. to be inſerted. *ibid.* 2.

The officers to put their ſeals to them upon ſight thereof. *ibid.*

Extortion.

3 *E.* 1. *c.* 26. *Eng. Weſt.* 1. No king's officer to take any reward for executing his office on pain, *&c.* EXTORTION, 1.

c. 9. *Eng. Weſt.* 1. Penalty on marſhals and officers of juſtices guilty of extortion. *ibid.* 3.

c. 27. *Eng. Weſt.* 1. Penalty on clerk of juſtices, *&c.* taking any thing for delivering chapters, but only clerks of juſtices errants in their eyres, and how much they ſhall take on pain, *&c.* *ibid.* 2.

Faculties.

28 *H.* 8. *c.* 19. Neither King nor any ſubjects ſhall ſue for any faculties, *&c.* to the biſhop of Rome. FACULTIES, 2.

Clerks to be appointed by the archbiſhop to regiſter all faculties by the king to inrol them in chancery. *ibid.* 8.

During the vacancy of the ſee of Canterbury, the guardian of the ſpiritualties to grant faculties, *&c.* *ibid.* 14.

Perſons ſuing for faculties to Rome, *&c.* to incur a *premunire*. *ibid.* 19.

Commiſſioners appointed to grant faculties, have the ſame power in Ireland as the archbiſhop of Canterbury. *ibid.* 25.

Fairs and Markets.

13 *E.* 1. *c.* 6. *Eng. Winch.* Fairs, *&c.* not to be kept in churchyards. CHURCHES, 1.

27 *E.* 1. *Eng.* To obtain licence to purchaſe a fair, *&c.* the writ of *Ad quod Damnum* ſhall firſt iſſue out of chancery. FRANCHISES, 1.

Stat. 2. *Eng.* What required from perſons that will purchaſe any fair. *ibid.* 3.

Fairs and Markets.

2 *E.* 3. *c.* 15. *Eng.* Fairs kept longer than they ought to be ſeized into the king's hands, *&c.* FAIRS, *&c.* 1.

5 *E.* 3. *c.* 5. *Eng.* Penalty on merchants ſelling wares after the fair is ended. *ibid.* 2.

27 *H.* 6. *c.* 5. On what days fairs and markets ſhall ceaſe from ſhewing of goods, *&c.* FAIRS, 3, 4.

17 *E.* 4. *c.* 2. *Eng.* In court of Pie-powder, the plaintiff to make oath that the contract, *&c.* in the declaration, *&c.* was done within juriſdiction, *&c.* of the fair, penalty on ſtewards holding plea otherwiſe. *ibid.* 5.

False Judgment.

52 *H* 3. *c.* 20. *Eng. Marlb.* None but the king ſhall hold plea of falſe judgment. FALSE JUDGMENT, 1.

1 *E.* 2. *c.* 4 *Eng.* A record brought, *&c.* by writ of falſe judgment if the party alledges that the record is otherwiſe, *&c.* ſhall be tried by the country. *ibid.* 2.

9 *R.* 2. *c.* 3. *Eng.* Reverſioners to have an attaint, *&c.* upon a falſe verdict or erroneous judgment. ERROR, 2.

Fees.

4 *G.* 1. *c.* 8. All officers claiming fees ſhall by 25 March 1718, return a liſt to clerk of council, and if in their power, a copy of the tables. FEES, 1.

Clerks of the crown and peace, and ſub-ſheriffs during aſſizes and ſeſſions, and all other officers conſtantly, ſhall fix up a duplicate: penalty 50*l.* *ibid.* 2.

3 *G.* 2. *c.* 9. Priſoners continued in gaol for their fees, and not able to pay the ſame, may be diſcharged by the judges of aſſiſe. JUSTICES OF ASSISE, 12.

This act prohibits fees to be taken for recognizances, *&c.* on any indictment returned *ignoramus.* INDICTMENTS, 3.

Felony and Felons.

9 *H.* 3. *c.* 22. *Eng. Mag. Chart.* The king is to have all the lands of felons one year and a day. FELONY, *&c.* 1.

3 *E.* 1. *c.* 2. *Eng. Weſt.* 1. Clerks taken for felony and demanded by the ordinary, to be delivered according to the privileges of the church. CLERGY, 1.

13 *E.* 1. *c.* 12. *Eng. Weſtm.* 1. Notorious felons, which refuſe lawful trial, ſhall ſuffer ſtrong and hard impriſonment. APPEALS, 3.

1 *E.* 2. *Eng. de frangen priſon.* It is felony for any perſon confined for felony to break priſon. PRISONS, *&c.* 2.

4 *E.* 3. *c.* 10. *Eng.* Sheriffs and gaolers, ſhall receive felons without fee. PRISONS AND PRISONERS, 4.

5 *E.* 3 *c.* 8. Priſoners to be kept in cloſe confinement for felony, *&c.* *ibid.* 5.

1 *R.* 3. *c.* 3. *Eng.* The goods of a perſon taken for felony not to be ſeized till he is attainted. FORFEITUES, 6.

4 *H.* 7. *c.* 13. *Eng.* Perſons not within orders and to whom the benefit of clergy hath been once granted, ſhall not be allowed it a ſecond time. CLERGY, 1.

28 *H.* 8. *c.* 10. Where felons are convicted, &c. the party robbed ſhall be reſtored to the goods loſt, &c. FELONY, &c. 7.

Felony and Felons.

33 *H.* 8. *ſeſſ.* 1. *c.* 5. } 2 *G.* 1. *c.* 17. } Servants having charge of their maſters goods, and imbezelling to value of 40*s.* is felony without clergy, 8.

11 *Jac.* 1. *c.* 3. Rape is felony without clergy, and perſons allowed clergy not to be delivered to the ordinary, *&c.* CLERGY, 3.

10 *C.* 1. *ſeſſ.* 2. *c.* 20. Buggery is felony without clergy and loſs of lands and goods. FELONY, &c. 18.

10 *C.* 1. *ſeſſ.* 3. *c.* 16. } 9 *W.* 3. *c.* 32. } Women guilty of felony in what caſes to be burned in the hand, where a man is allowed clergy. CLERGY, 5.

10 & 11 *C.* 1. *ſeſſ.* 4 *c.* 9. No peremptory challenge in felony allowed above the number of 20 jurors, *&c.* FELONY, &c. 16.

15 *C.* 1. *c.* 7. Perſons admitted to the benefit of clergy, to anſwer all other felonies. CLERGY, 6.

9 *W.* 3. *ſeſſ.* 1. *c.* 32. Perſons feloniouſly ſtealing goods of any ſort out of any dwelling-houſe, *&c.* and not anſwering the indictment guilty of felony without clergy. *ib.* 7.

In what caſes perſons guilty of felony challenging above twenty of their jurors are excluded from clergy. *ibid.* 8, 9.

Perſon buying, *&c.* ſtolen goods, knowing them to be ſtolen, deemed acceſſories, *&c.* *ibid.* 10.

Stealing furniture out of lodging is larceny and felony. *ibid.* 11.

Certificate of clerk of the crown produced in a different county from that where the felony is committed, ſetting forth that the felon had been before allowed the benefit of clergy, ſhall be ſufficient proof thereof. *ibid.* 13.

4 *An. c.* 11. Perſons buying ſtolen goods knowing them to be ſuch, may be proſecuted for a miſdemeanor, tho' the principal be not before convicted. *ibid.* 14.

8 *An. c.* 8. Perſons taking, *&c.* burglars breaking a houſe in the day time, ſhall receive 5*l.* from the collector, *&c.* penalty on collector refuſing to pay the 5*l.* FELONY AND FELONS, 20.

A watchman killed in the apprehending ſuch burglars his executors, *&c.* to receive 20*l.* from the collector, and penalty on collector refuſing to pay the ſame. *ibid.* 21, 22.

All perſons out of priſon diſcovering, *&c.* two, *&c.* ſuch burglars ſhall have 5*l.* and pardon of all felonies committed before, except murder and treaſon. *ib.* 23.

Receivers, *&c.* of ſtolen goods and harbourers of felons, *&c.* deemed acceſſaries, and ſhall ſuffer as a felon. *ibid.* 24.

Such receivers, *&c.* to be tried for miſdemeanors in caſe the principal felon be not taken. *ibid.* 25.

If principal felon taken afterwards receivers to be exempted. *ibid.*

Judges to ſettle the ſhares of perſons intitled to the rewards for apprehending felons. *ibid.* 26.

9 *Ann. c.* 6. If any perſon convicted of felonies for which he ought to have the benefit of clergy, ſhall pray the benefit of this act, he is not required to read. CLERGY, 18.

Having unlawful carnal knowledge of a female child under 12 years old, tho' by her conſent, felony without clergy. *ibid.* 19.

Perſons taking away goods out of a houſe, *&c.* or from the perſon of the value of 5*s.* or ſtealing any cows, *&c.*

Felony and Felons.

value 1*s.* and acceſſories, *&c.* guilty of felony without clergy. *ibid.* 20.

Perſons convict of ſtealing two cows, bulls, *&c.* at one time, if the judge find them on the preſentment of the grand jury objects of mercy, may be burned in the hand and enlarged, *&c. ibid.* 21.

The clerk of the crown, *&c.* where perſons have been convict, ſhall certify a tranſcript of the judgment, *&c.* and clergy allowed and the benefit of this act, and the certainty of the felony, which ſhall be evidence. *ibid.* 22.

None who had the benefit of clergy to have benefit of this act, and women having the benefit of this act, not intitled to benefit of it again. *ibid.* 23, 24.

Witneſſes produced on trials in behalf of felons, *&c.* to take an oath to the truth, *&c.* and depoſe falſe evidence. *ibid.* 27.

6 *G.* 1. *c.* 12. Juſtices of the King's bench, *&c.* to grant warrants of tranſportation to felons who are pardoned, and by whom and in what manner the expences of ſheriffs, *&c.* are to be paid for the tranſportation of ſuch felons. &c. *ibid.* 29, 30.

Felons convicted of petty crimes and ordered to be burned in the hand, *&c.* to be tranſported, *&c. ib.* 31.

8 *G.* 1. *c.* 9. Perſons ordered for tranſportation eſcaping, *&c.* before expiration of the term guilty of felony without clergy. *ibid.* 32.

Receivers of money, *&c.* for conducting perſons to ſtolen goods, and not ſecuring the felon, to ſuffer death without benefit of clergy. *ibid.* 33.

Felons ordered for tranſportation and breaking gaols, guilty of felony without clergy. *ibid.* 34.

Such offenders may be tried in any county, *&c.* and the certificate of clerk of the crown to be ſufficient evidence to convict ſuch felons. *ibid.* 35.

On murder or robbery committed in the ſtreet of any city, *&c.* a reward not exceeding 20*l.* to be raiſed by the grand jury for the perſon apprehending ſuch offenders if convicted. *ibid.* 36.

A perſon convicting any perſon for taking money to help perſons to ſtolen goods (unleſs that perſon apprehend the felon) to have 5*l.* reward. *ibid.* 37.

Executors, *&c.* of perſons killed in the apprehending ſuch offenders to have 20*l.* reward. *ibid.* 38.

Harbouring a felon (ordered for tranſportation eſcaping) felony. *ibid.* 39.

A perſon apprehended, *&c.* by warrant of the chief juſtice of the King's bench, *&c.* in England for robbery, *&c.* there, the chief governors of Ireland may detain any ſhip bound for England, until the maſter take ſuch priſoner and enter into bond, *&c.* to deliver him to the ſheriff where he ſhall firſt arrive, *&c.* provided a ſum not leſs than 40*s.* be paid ſuch maſter for every ſuch felon, and not to be obliged to bring more than 2 at any time. *ibid.* 40, 41, 42.

Bond to be delivered up on affidavit of delivery of ſuch perſon to the ſheriff, *&c.* in England. *ibid.* 43.

12 *G.* 1. *c.* 8. Chief magiſtrate of any port town, *&c.* though the time is expired, may contract for tranſportation of felons as by 6 *G.* 1. *c.* 12. *ibid.* 44.

May require the ſheriff, *&c.* of ſuch port, *&c.* to pay the maſter of the ſhip, *&c.* 40*s.* for a capital felon and 20*s.* for others, *&c.* grand jury, *&c.* to preſent ſaid ſums on the county, *&c. ibid.* 45.

Sheriffs who receive ſuch ſums to pay ſame upon getting a receipt from the perſons contracting for ſuch felons, which the jury are to preſent and have repaid to ſaid ſheriff. *ibid.* 46, 47.

Felons, *&c.* refuſing to ſign, *&c.* for tranſportation, ſo that they are not bound for more than 7 years, if convict capitally, ſhall be continued in gaol, *&c.* and executed, and others to be thrice whipt and then tranſported. *ibid.* 48.

Perſons capitally convicted of felony and at any time found, *&c.* to ſuffer death. *ibid.* 49.

Chief magiſtrates of port towns, *&c.* to receive felons ſent to them in gaol, *&c.* ſheriff delivering them ſhall give ſecurity to reimburſe what is diſburſed on ſuch, *&c.* till tranſported to be levied on the county. *ibid.* 50.

The clerks of the crown, *&c.* to make out certificates in 20 days after every aſſiſes, *&c.* of all perſons ſentenced for tranſportation, and deliver ſame, *&c.* penalty on clerks on default. *ibid.* 51, 52.

An order under the King's ſign manual, *&c.* directing felons receiving ſentence, *&c.* to be tranſported, ſhall be as effectual as a pardon pleaded, *&c.* and ſuch order a ſufficient warrant to the ſheriff, *&c.* to deliver ſuch perſon to be tranſported. *ibid.* 53.

Not to extend to inflict death on perſons obtaining the King's pardon on condition of tranſportation, provided they return not within the time. *ibid.* 54.

3 *G.* 2 *c.* 4. To ſteal, *&c.* exchequer acquittances, *&c.* deemed felony, *&c.* without clergy, &c. *ibid.* 55.

No attainder for any offence hereby made felony to make corruption of blood, *&c. ibid.* 56.

Grand juries to raiſe 6*l.* for tranſporting felons, whereof 20*s.* for tranſmittal to the ſea port and 5*l.* to the maſter of the ſhip. *ibid.* 57.

Felons recommended by the grand jury for mercy, to be burned in the hand, *&c.* at diſcretion of the judge, *&c. ibid.* 58.

17 *G.* 2. *c.* 4. Felony without clergy in any maſter of a ſhip, *&c.* fraudulently to put on ſhore in any part of this kingdom, *&c.* any felons, *&c.* ordered for tranſportation, &c. *ibid.* 61.

Perſons contracting, *&c.* for tranſporting felons, *&c.* ſhall enter into bond, *&c.* and how conditioned. *ib.* 62.

Offences againſt this act where to be tried. *ibid.* 63.

——— *c.* 6. Any perſons at any time by night or day ſtealing any goods, wares, *&c.* to the value of 5*s.* *&c.* out of any ſhop, *&c.* though ſuch ſhop, *&c.* be not actually broke open, or aſſiſting ſuch perſons being thereof convicted, *&c.* or ſtanding mute, *&c.* excluded benefit of clergy. &c. *ibid.* 64.

Perſons apprehending ſuch offenders what reward to receive and by whom to be paid, *&c. ibid.* 65.

Perſons from whom the benefit of clergy is hereby taken away apprehending two perſons who ſhall commit any ſuch felony, *&c.* and ſhall be convicted thereof ſhall be pardoned, ſuch pardon a bar to any appeal to be brought, *&c.* for ſuch felony, *&c. ibid.* 66.

Feme-Covert.

18 *E.* 1. *Stat.* 4. *Eng. de finibus.* Final concord cannot be levied in the King's court without original writ, and in preſence of the parties who are to be of full age, *&c.* and if a *feme covert* be one to be privately examined, *&c.* FINES. 1.

1 *R.* 3. *c.* 7. *Eng.* A fine after engroſſing to be openly read, *&c.* which being certified concludes all perſons, thoſe under age, *femes covert*, &c. excepted. *ibid.* 5, 7.

4 *H.* 7. *c.* 24. *Eng.* Fines to be proclaimed in court the ſame term and three terms after, and ſhall conclude both privies and ſtrangers, except *femes covert*, &c. *ibid.* 13.

The right of ſtrangers at the time of ingroſſing or after is ſaved, if they claim by action or entry in 5 years, but *femes covert*, &c. have 5 years after the impediment removed, *&c. ibid.*

28 *H.* 8. *c* 8. No ordinary, *&c.* ſhall compel the huſband, *&c.* of a *feme covert* to prove her will, *&c.* unleſs ſhe was executrix of ſome other perſon, *&c.* PROBATE OF WILLS, 12.

3 & 4 *W.* & *M. c.* 2. *Eng.* Two juſtices of peace may ſummon *feme covert* above eighteen, to take the oaths, *&c.* OATHS, 7.

7 *W.* 3. *ſeſſ.* 1. *c.* 6. Sharers to give bond to refund in caſe any debts appear afterwards. This act not to extend to the eſtate of *femes covert* dying inteſtate, but their huſbands may have adminiſtration of their perſonal eſtate. ADMINISTRATORS, 10. 12.

9 *W.* 3. *ſeſſ.* 1. *c.* 37. *Feme covert*, &c. within one year after impediment may ſhew cauſe againſt judgment by default, and the court may award a new partition. PARTITION, 6, 7.

Fencers.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 4. All fencers, *&c.* to be deemed rogues. VAGRANTS, 23.

Fences.

10 *C.* 1. *ſeſſ.* 2 *c.* 23. Perſons breaking hedges, pales, rails or fences, *&c.* being convict before a juſtice of peace, ſhall make ſatisfaction or be whipt. TRESPASS, 2.

8 *G.* 1. *c.* 5. Proprietors, *&c.* refuſing to ſettle or aſcertain the bounds that fences may be made, ſhall be compellable by bill in equity, *&c.* MEARS AND BOUNDS, 1.

Proprietors, *&c.* refuſing to keep fences made in repair, ſhall have no remedy for involuntary treſpaſs. *ibid.*

Occupier not having eſtate for life or 11 years in the land, ſhall on his oath at the ſeſſions be allowed againſt his landlord what he expended in making the fences, *&c. ibid.* 4.

No tenant for life or years ſhall be obliged to fence above one fifth part yearly. *ibid.*

Where the plantation acre is not worth 2*s. per annum*, beſides quit-rent, none ſhall be compelled to make fences. *ibid.* 10.

Ferrets.

13 *R* 2. *c.* 13. *Eng.* No perſon to keep ferrets, *&c.* to deſtroy hares, *&c.* except they have 10*l.* yearly. GAME, 1.

Fieri facias. See Execution.

Fines.

18 *E.* 1. *Stat.* 4. *de finibus. Eng.* Final concord not to be levied, *&c.* without original writ, *&c.* FINES, 1.

27 *E.* 1. *de Fenib. Levat. Eng.* No good exception to a fine levied that the demandant was ſeized of the lands, *&c. ibid.* 2.

34 *E.* 3. *c.* 16. *Eng.* Plea of non-claim on fines no bar hereafter. *ibid.* 3.

5 *H.* 4. *c.* 14. *Eng.* Writs of covenant, *&c.* to be recorded in the common pleas. *ibid.* 4.

1 *R.* 3. *c.* 7. *Eng.* In what manner fines are to be publiſhed and levied to bar remainders, and ſavings for infants, *&c.* and in what time they are to claim. *ibid.* 5 to 13.

4 *H.* 7. *c.* 24. *Eng.* Fines to be proclaimed in court the ſame term and three terms after, and ſhall conclude both privies and ſtrangers except *femes covert*, &c. *ibid.* 13.

The right of ſtrangers at the time of ingroſſing or after ſaved if they claim, *&c.* in five years *femes covert*, &c. to have five years after the impediment removed. *ib.*

10 *C.* 1. *ſeſſ.* 2. *c.* 8. A fine may be levied by this act, *&c.* which ſhall have the ſame force as before this act. *ib.* 14.

All fines levied according to the 10 *C.* 1. *ſeſſ.* 2. *c.* 6. by perſons of full age of any lands, *&c.* in any wife intailed to them or to any of their anceſtors in poſſeſſion, *&c.* ſhall bar ſaid perſons and their heirs claiming by ſuch intails. *ibid.*

Not to bar perſons where a woman levies a fine of her dower, *&c. ibid.* 15.

Not to extend to fines levied of land ſince 4 *H.* 7. nor to fines granted to perſons before they were levied by patent, &c. the reverſion whereof was in the King. *ibid.* 16, 17.

10 *C.* 1. *ſeſſ.* 2 *c.* 9. Not to prejudice fines whereon proclamation was not duly made, *&c. ibid.* 18.

——— *c.* 10. In what form writs of covenant whereupon a fine hath been or ſhall be levied is to be inrolled. *ib.* 19.

Fines, *&c.* not to be reverſed by falſe Latin, raſure, *&c.* or other want of form. *ibid.* 20.

The chirographer to make a table for every county of the contents of every fine, and fix the ſame on ſome open place in the common pleas. *ibid.* 21.

The chirographer on pain of 5*l.* to deliver a content of ſaid table of fines to the reſpective ſheriffs of the counties, who on like penalty ſhall fix up the ſame in the county court houſe the next aſſiſes. *ibid.*

——— *ſeſſ.* 3. *c.* 20. Felony to acknowledge a fine, *&c.* in the name of another perſon. FELONY, &c. 13.

15 *C.* 1. *c.* 2. All fines levied in the common pleas ſhall be proclaimed four times only, *&c.* FINES, 22.

6 *A. c.* 10. No claim, *&c.* made upon lands, *&c.* ſhall avoid any fine, *&c.* levied, *&c.* with proclamations unleſs an action be commenced and proſecuted with effect in one year after ſuch entry. *ibid.* 24.

4 *G.* 1. *c.* 10. No fine, *&c.* to be levied ſhall be reverſed for error unleſs proſecuted within 10 years after the fine, *&c.* levied, *&c.* ſaving to infants, *&c.* LIMITATIONS, 21.

11 *G.* 2. *c.* 6. All fines and recoveries to be made up and inrolled in the Engliſh language. PLEADINGS, 36.

21 *G.* 2. *c.* 11. Where fine for making tenant to the *præcipe* ſhall be good tho' executed after judgment in the recovery. RECOVERIES, 10 to 29.

Fire.

2 *G.* 1. *c.* 5. None to be ſubject to action, *&c.* for any accidental fire, but not to extend to agreements between landlords and tenants. FIRE, 1, 2.

The chief magiſtrates, *&c.* to aſſiſt at any fires in towns, *&c. ibid.* 3.

Penalty on ſervants by careleſſneſs burning a houſe. *ibid.* 4.

6 *G.* 1. *c.* 15. The church-wardens of all pariſhes in Dublin may at charge of the pariſh lay ſtop blocks and firecocks, *&c.* upon pipes in the ſtreets, *&c.* DUBLIN 149.

Each pariſh to have an engine and hand engine, *&c.* on default, *&c.* the grand jury, *&c.* may preſent and charge them, *&c. ibid.*

A perſon to be appointed yearly to take care of firecocks, *&c.* penalty on ſuch perſon if negligent. *ib.* 150.

The firſt comer with his engine to extinguiſh fires to have 20s. the ſecond 10s. and the third 5s. from the church-wardens where the fire happens. *ibid.*

10 *G.* 1. *c.* 3. No ſhips, *&c.* to be careen'd, nor fire made to melt pitch, *&c.* between Bloody-bridge and Ferry-ſlip, *&c. ibid.* 151.

No maſter, *&c.* to keep a fire on board within 20 yards of the key where houſes are or ſhall be built on pain of 40s. *ibid.* 152.

First-Fruits.

26 *H.* 8. *c.* 3. *Eng.* Penalty on any convicted by preſentment, *&c.* of having entered on any livings before payment or compoſition for the firſt-fruits, and in what manner acquittances ſhall be made for the payment of firſt-fruits. FIRST-FRUITS, 1, 2, 3, 4.

Biſhops may give inſtitution, *&c.* notwithſtanding this act. *ibid.* 6.

28 *H.* 8. *c.* 8. Archbiſhops, *&c.* to pay the profits for one year of their livings to the King before actual poſſeſſion. *ibid.* 7.

The lord chancellor, *&c.* to examine, *&c.* for the value of the firſt-fruits, and agree for the payment. *ibid.* 8.

Bonds given for ſuch to remain in the hanaper-office, *&c.* treaſurer to accompt and proceſs to iſſue, *&c. ibid.*

Acquittance from clerk of the hanaper a good diſcharge, *&c.* commiſſioners of the firſt-fruits in 6 months to deliver to the under treaſurer, *&c.* ſuch money, *&c. ibid.* 9.

Act 26 *H.* 8. *c.* 3. as far as relates to ſurety of payment, *&c.* in force in Ireland, *ibid.* 10.

All firſt-fruits payable, *&c.* to the King only. *ibid.* 5. 11.

On the avoidence of a benefice the King, *&c.* to provide a curate, *&c. ibid.*

2 *E.* *c.* 3. Act of 3 & 4 *P.* & *M.* is repealed, and the firſt-fruits payable to the King. *ibid.* 12.

Vicarages not exceeding 6*l.* 13*s.* 4*d.* and parſonages 5*l.* *&c.* to be valued by the book of rates in the exchequer. *ibid.* 13.

Hoſpitals and ſchools not charged with firſt-fruits. *ibid.* 14.

2 *G.* 1. *c.* 15. Patent dated 7th of February 10 Queen *A.* granting to truſtees of all the firſt-fruits, *&c.* confirmed. *ibid.* 15.

First-Fruits.

The truſtees and their ſucceſſors to enjoy ſaid firſt-fruits to the uſes in ſaid patent diſcharged of the King's right, and 7 of the truſtees may act the lord chancellor, *&c.* being of the *quorum. ibid.* 16, 17.

Eccleſiaſtical perſons to have 4 years for payment of the firſt-fruits and to pay them yearly, if they die, *&c.* at the end of 4 years to be diſcharged of what they did not receive. *ibid.* 18.

10 *G.* 1. *c.* 7. Truſtees may appoint ſucceſſors to Samuel Dopping and lord Percival, and the truſtees created a body politic, *&c.* and the firſt-fruits veſted in them. *ibid.* 19, 20.

In abſence of chancellor, *&c.* who to be of the *quorum. ibid.* 21.

The next incumbent to pay the firſt-fruits of united pariſhes. *ibid.* 22.

Biſhops, *&c.* to return into the firſt-fruits office, a certificate of death, *&c.* of any incumbent, *&c. ib.* 23.

Where a pariſh ſhall be divided the firſt-fruits to be proportioned, *&c. ibid.* 24.

Where any pariſh hath been divided, or where new pariſhes have been erected or united, biſhops may proportion the firſt-fruits. *ibid.* 25.

No pariſh now exempted from firſt-fruits to be charged *ibid.* 26.

29 *G.* 2. *c.* 18. Seven truſtees *quorum*, *&c.* may lay out produce, intire or in parcels, in government ſecurities in Great Britain or Ireland, or mortgages in Ireland; change from time to time; and call in or transfer, to purchaſe glebes or impropriations for poor clergy. *ibid.* 21.

Said ſecurities as effectual as if to other perſons, and like remedies. The intereſt, &c. veſted in them for uſes in letters patent 10 *A.* and in ſaid acts for augmentation to the clergy. *ibid.* 22.

All ſtatutes and proviſions in force at granting ſaid letters patent, and not altered, to be obſerved for purpoſes aforeſaid. *ibid.* 23.

May appoint a regiſter, *&c.* with ſalaries during pleaſure, and defray incidental charges. *ibid.* 24.

May propoſe rules in writing to chief governors; when approved under hand and ſeal, valid, till ſo altered. *ibid.* 25.

Fish and Fishery.

11 *E.* Seſſ. 3. *c.* 4. Swine not to be allowed to feed on any ſea ſhore, on pain of forfeiture. FISH, &c. 1.

10 *C.* 1. Seſſ. 2. *c.* 24. Fiſhermen, *&c.* may enter on any perſons lands, near the fiſhing places to watch and carry their fiſh on aſhore, *&c. ibid.* 2.

Seſſ. 3. c. 14. Penalty on any preſuming to take any fry or ſpawn of eels, or any kind of ſalmon (angling excepted) which offences may be heard by judges of aſſiſe. *ibid.* 4.

10 *W.* 3. *c.* 8. All ſtatutes for preſervation of game, fiſh, *&c.* not hereby altered or repealed to be in force. *ibid.* 5.

2 *G.* 1. *c.* 21. Penalty, &c. on any keeping, &c. a liſter or ſpear for killing ſalmon or uſing lights upon any river. *ibid.* 6.

Any perſon may without warrant apprehend offenders, &c. juſtices of peace may raiſe the forfeiture of his goods, &c. for the informer. *ibid.* 7.

Fiſh and Fiſhery.

8 *G.* 1. *c.* 7. Penalty on any taking ſalmon between 1ſt of Auguſt and 1ſt February yearly. *ibid.* 8.

Not to extend to rivers where ſalmon is in ſeaſon. *ibid.*

12 *G.* 1. *c.* 7. Any perſon may without warrant ſeize a perſon fiſhing with his face blacked, &c. or being on or near a river, &c. penalty on ſuch perſon. *ibid.* 10.

Penalty on any without 40*l* a year freehold, &c. for himſelf or as ſervant to another making, &c. a gaff net, &c. to kill ſalmon, &c. right of fiſhery excepted. *ibid.* 11.

Penalty on perſons killing 12 ſalmon in one day in February, March, April and May. *ibid.* 12.

Farmers of fiſhery, &c. may without treſpaſs in ſpawning time walk on the bank of any river not orchard, &c. the general iſſue pleadable. *ibid.* 13, 14.

7 *G.* 2. *c.* 11. Penalty on any after 29th September 1734, uſing a drag or ſea net having a maſh leſs than 3 inches and a half from knot to knot in catching any fiſh except herrings, &c. *ibid.* 15.

Penalty on any drudging for oyſters from 1ſt May to 20th Auguſt yearly. *ibid.* 16.

None to buy or ſell any barrels for white herrings for exportation, &c. unleſs made of ſtaves not leſs than $\frac{3}{8}$ths of an inch thick, &c. and before ſuch barrel is examined by an officer, &c. *ibid.* 17.

Said officer if ſtatutable to brand ſaid barrels, &c. and not to be ſold but in a publick market. *ibid.*

Penalty on perſons buying or ſelling barrels, &c. packing, &c. any herrings, &c. contrary to this act. *id.*

Weigh maſter to be paid one half penny for each barrel, &c. *ibid.* 18.

After 29th September 1730, perſons entering into contracts, &c. for fiſhing neglecting after 3 months notice, to pay their *quota*, the majority of partners may ſell the ſhare of ſuch, &c. ſale to be good to purchaſer, &c. *ibid.* 19.

31 *G.* 2. *c.* 13. None to fiſh in any river between 12th Auguſt and 1ſt February, nor carry on the bank any inſtrument for ſalmon: penalty 5*l.* or impriſonment not above 3 months, nor under 1. Any one may apprehend and carry with the inſtruments, before next juſtice. *ibid.* 20.

Owner of fiſhery, or others, killing ſalmon between 12th Auguſt and 1ſt January, or acceſſary, forfeit 40*s.* every ſalmon, but not above 20*l.* one conviction. *ib.* 21.

Uſing lights for ſalmon between 12th Auguſt and 1ſt February, 5*l.* or impriſonment not above 6 nor under 3 months: the light evidence, unleſs the contrary appears. *ibid.*

Rivers excepted. In the river Feal ſalmon killed by perſons qualified from 1ſt February to 20th October. *ibid.* 22.

Setting-nets or engines between 1ſt March and 1ſt June, penalty 10*l.* or impriſonment not above 6 nor under 3 months. *ibid.* 23.

Offence on mearing river proſecuted in either county. *ibid.* 24.

Proſecution in 3 months. *ibid.* 26.

No law, as to ſalmon or fry repealed: but one conviction for one offence. *ibid.* 27.

Nets not caſt in harbours for herrings from ſunriſe to ſunſet, penalty 5*l.* *ibid* 28.

3 *G.* 3. *c.* 24. Bounty of 20*s.* a tun annually to owners of veſſels for fiſhing on the coaſt of Ireland. Fish, &c. 30.

Fiſh and Fiſhery.

Veſſels to be decked and not under the burthen of 20 tuns. *ibid.*

Certificate of 3 officers of the revenue of the tunnage, &c. of ſuch veſſels. *ibid.*

Oath of the owner or maſter, that ſuch veſſel is deſtined for fiſhing. *ibid.*

Journal of proceedings to be produced at the end of voyage. *ibid.*

No nets for taking herrings to be ſhot in the day time. *ibid.* 31.

No boats to go out for fiſhing from ſunſet on Saturday till ſunſet on Sunday. *ibid.* 32.

Regulations of partnerſhips for carrying on fiſheries. *ibid.* 33.

Bounties to be paid out of the revenue for the ſeveral ſpecies of fiſh enumerated. *ibid.* 34.

Penalty of ſhooting at whales from ſmall boats. *ib.* 35.

Number of men for navigating veſſels for fiſhing. *ibid.* 36.

Officers to viſit and make returns of fiſhing-veſſels after their voyage. *ibid.* 37.

Oath of maſter. *ibid.*

Journal of proceedings. *ibid.*

Bonds to be given on exportation of fiſh, for which a bounty has been paid. *ibid.* 38.

Fiſh to be proved to have been taken on the coaſt of Ireland before bounty paid. *ibid.* 39.

3 *G.* 3. *c.* 35. Seaſon limitted for taking ſalmon. *ibid.* 42.

Nets with a ſole or ropes with ſinks, not to be uſed. *ibid.* 43.

Clauſe for the ſalmon-fiſhery at Sligo. *ibid.* 44.

Proviſion for the fiſhery of the river of Loughfoyle. *ibid.* 45.

5 *G* 3. *c* 7. Veſſels partly decked and partly open intitled to bounty. *ibid.* 46.

Oath of the maſter or chief officer ſufficient. *ibid.* 47.

Penalty of 50*l.* for ſhooting at whales, or ſhooting nets for herrings in the day time. *ibid.* 48.

Bounty for fiſh taken within 35 leagues of the coaſt. *ibid.* 49.

Penalty for ſhooting at whales, to be to the uſe of perſon who ſhall ſue for the ſame. *ibid.* 50.

Fiſh to be exported muſt be firſt landed and proved to be taken on the coaſt before bounty paid. *ibid.* 51.

Certificate from the officer of the landing the fiſh, and the affidavit of the maſter. *ibid.* 52.

Affidavit of the foreign merchant and the maſter, &c. bounty to be paid. *ibid.* 53.

Not to exclude ſubjects from fiſhing as before this act. *ibid.* 56.

Flax and Hemp.

7 & 8 *W.* 3. *c.* 39. *Eng.*
1 *A.* ſt. 2. *c.* 8. *Eng.*
16 *G.* 2. *c.* 26. *Brit.*

} Natives of England and Ireland may import into England from Ireland all ſorts of hemp and flax, and the production thereof duty free. Flax, &c. 1 to 4.

3 *G.* 3. *c.* 34. No flax or hemp to be ſteeped in running water or bog-hole, &c. if ſo ſteeped it ſhall be forfeited. *ibid.* 4.

Penalty on mixing male and female hemp in watering or pulling. *ibid.* 5.

Flax-Seed and Hemp-Seed.

3 *G.* 3. *c.* 12. Premium of 5*s. per* hogſhead by former acts on import, from certain ports continued 21 years, and from other ports named. *ibid* 1.

Five ſhillings *per* hogſhead, cuſtom paid by exporter in 21 years, unleſs oath before commiſſioners, *&c.* of being Iriſh growth. No premium till oath of the country whence, *&c.* and believing it ſound, and laſt ſummer's growth. *ibid* 2.

Premium of 1*s. per* buſhel of Iriſh flax-ſeed ſent by ſea from ſouth to north parts of Ireland, granted by former acts, continued 21 years: to be ſhipt at Dundalk or ſouthward, and oath before collector, *&c.* and bond 20*s. per* barrel. *ibid.* 3, 4.

3 *G.* 3. *c.* 34. Flax-ſeed or hemp-ſeed imported after 1ſt of Auguſt 1764; if bad or mixed, forfeited, or the value and 3*l. per* hogſhead.

Importer before removal, proving damaged at ſea, and on ſecurity not to ſow, but to make into oil or export, not liable.

Nor on like ſecurity before ſale, or expoſing to ſale.

Parcels of different countries or years not mixed.

Vender of 4 pecks or more at one time to one buyer, ſhall give certificate with every parcel, of the quantity and price, for ſowing, the port whence, country, and year of growth.

If bad or mixed, not offered to ſale for ſowing *(vid. duty)*

Flax and hemp-ſeed. When good Iriſh flax-ſeed at 5*s. per* buſhel, or under, ſhipt or exported from Dundalk, or any port ſouthward, and certificate brought to collectors, *&c.* and bond given of 20*s. per* barrel, premium of 1*s. per* buſhel.

Grand juries for counties, whence exported, charged at ſeſſions to inquire and preſent market price.

Made in open court, and certified to chief officer of the port, and hung up in the cuſtom-houſe.

No premium till preſentment.

No fee to revenue officers.

Flour.

5 *G.* 3. *c.* 16. No duty to be paid on exportation of flour made in this kingdom. Flour, 1.

Forcible entry.

5 *R.* 2. *c.* 8. None to enter into lands, *&c.* by force, on pain of impriſonment. Forcible Entry, 1.

15 *R.* 2. *c.* 2. *Eng.* } 8 *H.* 6. *c.* 9. *Eng.* } Juſtices of peace to commit ſuch offenders to gaol, and put thoſe ſtatutes in force. *ibid.* 2, 3.

8 *H.* 6. *c.* 9. *Eng.* Juſtices of aſſiſe to inquire into forcible entry, and quiet party expelled in the poſſeſſion, and to direct their precepts to the ſheriff to ſummon a jury, who are to attend on pain, *&c.* Forcible Entry, 4, 5, 6.

Writs of treſpaſs to be granted in caſes of forcible entry, and treble damages recoverable, provided the party ſuing had been in poſſeſſion for three years before. *ib.* 7, 8.

10 *C.* 1. Seſſ. 3. *c.* 13. If party indicted for forcible entry hath been in peaceable poſſeſſion three years, he ſhall make no reſtitution if his eſtate be not determined. *ibid.* 9.

Like reſtitution of poſſeſſion given to tenants for years by *elegit*, *&c.* as of freehold. *ibid.* 10.

All juſtices of aſſiſe, *&c.* have power to determine force, &c. as juſtices of peace might. *ibid.* 11.

Foreclosure.

7 *G.* 2. *c.* 14. In bill of foreclosure where parties abſcond, *&c.* when affidavit of ſervice of the tenants, *&c.* or at the laſt place of abode ſhall be good ſervice of the ſubpœna. Mortgages, 5.

Foreign Education, vide Papiſts.

Foreign Service.

8 *G.* 1. *c.* 9. Subjects liſting, liſted, or embarking, with intent to be liſted, *&c.* in any foreign ſervice as a ſoldier without licence, guilty of felony without clergy, and alſo any harbouring ſuch perſons, *&c.* Foreign Service, 1, 2.

9 *G.* 2. *c.* 7. *Brit.* } 11 *G.* 2. *c.* 30. *Brit.* } Perſons liſting or procuring others to be liſted for foreign ſervice without licence, guilty of felony, and perſons liſted and diſcovering in 14 days to be freed, and where ſuch offenders may be tried. *ibid.* 3 to 8.

No papiſt allowed as jurors on ſuch trials, and where ſuch trial may be. *ibid.* 8, 9.

Perſons ſo liſted and brought beyond the ſeas diſcovering the perſon by whom they were liſted, in 2 months after return freed. *ibid.* 10.

19 *G.* 2. *c.* 7. No natural born ſubject to ſerve as officer, *&c.* in France or Spain without licence under the ſign manual. *ibid* 11.

Diſability of perſons in ſuch ſervice ſince 8 October, 1745. *ibid.*

Their real and perſonal eſtate to go to the proteſtant diſcoverer. *ibid.*

No plea or demurrer to be allowed to any bill by ſuch diſcoverer. *ibid.*

Saving to perſons ſurrendering to be tried for treaſon. *ibid.*

Saving to the king his right to eſtates of perſons attainted for treaſon. *ibid.* 12.

Saving to perſons pardoned for ſuch offence. *ibid* 13.

Forfeiture of treble value on diſpoſing of any eſtate in truſt for ſuch offenders, and how to be applied. *ibid.* 14.

No eſſoign, *&c.* allowed in any action for ſuch forfeiture *ibid.*

No diſcovery for any truſtee ſhall be evidence for recovering ſuch penalty againſt ſuch truſtee. *ibid.* 15.

This act and 7 *W.* 3. *c.* 4. to prevent foreign education, ſhall be read at the ſeveral aſſiſes and quarter ſeſſions for the county and city of Dublin, before the charge to the grand jury *ibid.* 16.

25 *G.* 2. *c.* 12. Perſons preſented by the grand-jury, for liſting, *&c.* any perſon as a ſoldier, *&c.* in any foreign ſervice

Foreign Service.

ſervice without licence of the king, &c. and proclaimed by the lord lieutenant, &c. for the ſame, and not ſurrendering in the time limitted by the proclamation, ſhall from thenceforth be convict of high treaſon. *ibid.* 17.

Perſons concealing, &c. perſons ſo preſented after ſuch proclamation, guilty of felony without benefit of clergy, or the ſtatute. *ibid.*

Printed proclamations evidence againſt ſuch perſons. *ibid.*

Examinations to be taken on oath before ſuch perſons are preſented, and to be lodged with the clerk of the crown, &c. *ibid.* 18.

Copy of ſuch examinations to be certified with the preſentment to the chief governor, &c. and council before they ſhall be proclaimed. *ibid.* 19.

29 *G.* 2. *c.* 5. Subjects in French king's ſervice landing in Ireland, or attemping it, their abettors, &c. felony without clergy, tried in any county. *ibid.* 20.

Returning by 1 Auguſt 1756, with intent to become good ſubjects, and ſurrendering to a magiſtrate, committed till next aſſizes or ſeſſions, unleſs ſecurity: then taking the oaths, &c. exempt from all penalties on inliſting in foreign ſervice. *ibid.* 21.

Not to reſtore to what already recovered, or for which by 19 *G.* 2. *c.* 7. ſuit inſtituted. *ibid.* 22.

Foreſtallers.

Ordin. for bakers incerti temporis, c. 10. *Eng.* Penalty, &c. on foreſtaller and his acceſſories dwelling in a town. Forestallers, 1.

51 *H.* 3. Stat. 6. *Eng.* Penalty on foreſtallers purchaſing victuals, &c. before it comes to the public market. Victuals, 3.

25 *E.* 3. *c.* 3. *Eng.* Foreſtallers of wine, &c. that come to any town, &c. being by indictment, &c. thereof attainted, ſhall forfeit the thing foreſtalled if agreement be made for the ſame. Forestallers, 2.

27 *E.* 3. *c.* 11. Stat. *of the Staple.* Pain on any going to foreſtall wares, &c. before they come to the port, &c. *ibid.* 3.

33 *H.* 8. Seſſ. 1. *c.* 2. None to buy hides, &c. any where but in open fairs intending to ſell the ſame again on pain of being adjudged a foreſtaller, but not to extend to tanners or barkers. *ibid.* 4, 5, 6.

Forfeitures.

17 *E.* 2. *c.* 16. *Prærog. Reg. Eng.* The King to have all the goods of felons and fugitives. Felony and Felons, 3.

34 *E.* 3. *c.* 12. *Eng.* No forfeiture of lands for treaſon for perſons not attainted in their life time. Forfeitures, 5.

1 *R.* 3. *c.* 3. *Eng.* The goods of a perſon taken for felony, not to be ſeized till he is attainted. *ibid.* 6.

11 & 12 *W.* 3. *c.* 2. *Eng.* All lands, &c. belonging to perſons attainted of treaſon ſince 1688, forfeited and veſted in truſtees, and the powers, &c. of ſuch truſtees, &c. and the oath required of them, and other regulations for ſettling ſuch lands, &c. *ibid.* 10.

Forgery.

28 *El.* *c.* 3. Penalty, &c. on perſons forging of deeds, &c. Forgery, 1.

Penalty, &c. on perſons forging deeds, &c. party grieved to have remedy by treſpaſs, &c. *ibid.* 2, 3.

Puniſhment a good bar to further impeachment for this offence, though plaintiff may releaſe, &c. the action, the judges may proceed, &c. *ibid.* 4, 5.

Second offence is felony, &c. not to extend to ordinaries, dowreſs, &c. *ibid.* 6, 7, 8.

Not to extend to councellors, &c. producing forged deeds, and not knowing them to be ſuch, and by whom the offences ſhall be tried. *ibid.* 9 to 13.

3 *G.* 2. *c.* 4. Forging, &c. any deed, &c. felony, &c. *ibid.* 14.

4 *G.* 2. *c.* 18. *Brit.* Perſons within England or Ireland forging, &c. Mediterranean paſſes, guilty of felony, where they may be tried. *ibid.* 15, 16.

17 *G.* 2. *c.* 11. Perſons counterfeiting, forging, or aſſiſting to forge, any wills, bonds, notes, &c. to the value of five pounds, deemed felony without benefit of clergy. *ibid.* 17.

Forma Pauperis.

10 *C.* 1. Seſſ. 2. *c.* 17. A pauper to pay no coſts, but may be puniſhed by the court, &c. Damages and Costs, 6.

Formedon.

13 *E.* 1. *c.* 1. *Eng. Weſt.* 2. The ſecond husband or wife, or their iſſue, ſhall have nothing in lands given to a man and the heirs of his body, &c. and a fine levied by them ſhall be void. Tail, 1.

10 *C.* 1. Seſſ. 2. c. 3. This act not to impeach common recovery againſt tenants in tail, &c. as to the reverſioners or remaindermen, nor any conveyances whereby a voucher is uſed in *formedon.* Frauds, &c. 5.

c. 6. Formedon of any kind, &c. to be brought in 20 years, otherwiſe a bar to the demandant, &c. Limitations, 6.

Forts and Fortifications.

21 *G.* 2. *c.* 9. Batteries with fortifications may be erected for ſecurity of the harbour of Cork. Barracks, 10.

Fortune-tellers.

33 *H.* 8. Seſſ. 1. *c.* 15. Fortune-tellers, &c. ſhall be put into the ſtocks two days and nights and be whipped, &c. on examination before two juſtices of peace. Vagrants, 2, 3.

10 & 11 *C.* 1. Seſſ. 4. c. 4. All fortune-tellers, &c. to be deemed rogues, &c. *ibid.* 23.

Foundling Children.

1 *G.* 2. *c.* 27. Foundling children in Dublin ſhall be rereceived in the workhouſe after 6 years old and be inſtructed in learning, &c. Dublin, 155.

Foundling Children.

19 *G.* 2. c. 21. Governors of workhouſe may apply exceedings on funds of the workhouſe, *&c.* for maintenance of foundling children. *ibid.* 458.

Debts for maintaining foundling children, how to be diſcharged by the governors of the workhouſe. *ibid.* 459.

Fowls and Fowlers.

10 *W.* 3. Seſſ. 2. *c.* 8. No papiſt ſhall be employed as a fowler for a proteſtant, on pain that the fire-arms may be ſeized, and ſhall be ſeizers property. GAME, 5.

Foxes.

2 *A.* c. 6. Grand jury may preſent money for deſtroying foxes, *&c.* PRESENTMENTS, 2.

Franchiſes.

27 *E.* 1. ſtat. 2. *Eng.* Upon purchaſes of new parks, and lands amortized by men of religion, writs of enquiry to iſſue out of chancery, returns of which are to be certified to the chancellor's lieutenant. FRANCHISES, 1.

Perſons dwelling beyond the ſeas, having lands in England, and having letter of protection, to make fines in the exchequer, and to be returned to the chancellor or his lieutenant. *ibid.* 2.

Perſons purchaſing fairs, *&c.* to be ſent into the exchequer, and ſuch as are not able to travel. *ibid.* 3, 4.

Indenture to be made of ſuch returns, and where to be kept. *ibid.* 5.

1 *E.* 3. Stat. 2. *c.* 9. *Eng.* All towns, cities and boroughs to enjoy their franchiſes, *&c.* LIBERTIES, &c. 13.

21 *G.* 2. *c.* 10. Perſons duly elected into franchiſes in boroughs not to be ouſted for non-reſidence. CORPORATIONS, &c. 23.

Frauds, &c.

1 *R.* 2. *c.* 9. *Eng.* Feoffments made for maintenance, &c. void. FRAUDS, &c. 1.

4 *H.* 4. *c.* 7. *Eng.* } Diſſeiſee to have l is action againſt diſ-
11 *H.* 6. *c.* 3. *Eng.* } ſeſor, if he hold the profits at the time of the ſuit commenced. *ibid.* 2, 3.

3 *H.* 7. c. 4 *Eng.* Fraudulent conveyances of lands, &c. to deceive creditors, to be void, &c. *ibid.* &c. 4.

10 *C.* 1. Seſſ. 2. *c.* 3. Fraudulent conveyances, &c. made to defraud any purchaſer, he having obtained the lands, &c. void, as againſt him. *ibid.* 5.

Penalty on perſons privy to ſuch conveyance, &c. and juſtifying the ſame. *ibid.* 6.

Conveyances made to other, *bona fide*, good. *ibid.* 7.

Lands, &c, conveyed by deed, &c. with power of revocation, &c. afterwards ſold, &c. without actually revoking the firſt conveyance, ſuch firſt conveyance void againſt ſuch bargains, &c. mortgages *bona fide* excepted. *ibid.* 8, 9.

All deeds, &c. to be regiſtered with the clerk of recognizance or elſe void, and penalty on ſuch clerk for neglect and his fees for entries, and penalty on perſons ſetting up ſuch fraudulent conveyances, &c. *ibid.* 10 to 15.

Frauds, &c.

7 *W.* 3. c. 12. All leaſes for years, &c. by parol agreement to have the force only of eſtates at will, except leaſes for 3 years whereon two thirds of the yearly value is reſerved. *ibid.* &c. 19, 20.

How all ſuch intereſts are to be aſſigned. *ibid.* 21.

Executors eſtates, &c. not to be ſubject to the debt of a teſtator. *ibid.* 22.

No bargain above 10 l. to be good, unleſs earneſt be given or part of the goods be delivered. *ibid.* 23.

4 *A.* c. 5. All wills concerning lands in fee ſimple, &c. void as to creditors, &c. *ibid.* 24.

Such creditors may have their action, &c. againſt the heir and deviſee jointly, *ibid.* 25.

Proviſions made for younger children before marriage to be in force. *ibid.* 26.

Conveyances, not *bona fide* made before the action brought, by the heir who is liable to his anceſtors debts of lands deſcended to him, the heir ſhall be anſwerable for the debt, &c. *ibid.* 27.

Heir may plead *riens per* diſcent to an action upon a ſpecialty, &c. *ibid.* 28.

Deviſees made liable to ſuch actions as well as the heir at law. *ibid.* 29.

Freehold.

52 H. 3. c. 12. Stat. *Marlb. Eng.* Freeholders not to be diſtrained to warrant their freehold, &c. LIBERTIES, &c. 3.

c. 15. *Eng.* None to diſtrain his freeholders to anſwer for any thing touching their freeholds, but by the king's writ. DISTRESS, 7.

3 *E.* 1. c. 24. *Eng. Weſt.* 1. No bailiff, &c. without ſpecial authority ſhall diſſeiſee a man of his freehold, on pain of double damages and amerciament. DISSEISIN, 1.

Freemen.

9 *H.* 3. *c.* 2. *Eng.* No freeman ſhall be impriſoned or condemned on any accuſation, without trial by his peers or the the law, neither juſtice or right be ſold, denied or deferred. AMERCEMENTS, 1.

c. 14. *Eng.* A freeman not to be amerced for a ſmall fault, &c. *ibid.*

3 *E.* 1. *c.* 6. *Eng.* According to the treſpaſs, &c. freemen, &c. to be amerced by their peers. *ibid.* 3.

10 *H.* 7. c. 7. No city or great town to ſuffer any perſon to be freemen, &c. but ſuch as have been apprentice, &c. on pain of 100 marks to the King. CORPORATIONS, 1.

17 & 18 *C.* 2. *c.* 2. All proteſtants, &c. coming into any city, &c. to dwell, ſhall on requeſt and payment of charge be admitted a freeman of guilds and ſocieties, &c. *ib.* 5.

1 *G.* 2. *c.* 5. No freeman ſhall vote that was not free 6 months before the election, unleſs made free by ſervice or birth, &c. *ibid.* 15.

Friars.

9 *W.* 3. Seſſ. 1. *c.* 26. All popiſh friars, &c. to depart the kingdom before the 1ſt of May 1698, and thoſe found after that day, to be tranſported, and returning from tranſportation guilty of high treaſon. PAPISTS, 20,

Frize. See Drapery.

Fruit and Fruit Trees.

10 *C.* 1. Seſſ. 2. *c.* 23. Perſons unlawfully pulling up fruit trees to carry them away, &c. their receivers, &c. being convict before a juſtice of peace, ſhall make ſatisfaction to the party or be whipt. TRESPASS, 2.

10 *W.* 3. *ſeſſ.* 2. *c.* 12. Perſons having or ſelling fruit trees, &c. not having an orchard of their own and not dealing in ſuch, ſhall prove how they came by them, or on failure ſhall ſtand convict and ſuffer, &c. *ibid.* 5.

Fugitives.

9 *H.* 3. *c.* 22. *Eng.* By 17 *E.* 2. *c.* 16. the King is to have all the goods of felons and fugitives. FELONY, &c. 1.

31 *E.* 3. *c.* 3 & 14. Chattles, &c. of felons and fugitives, ſhall be levied as they fall. FORFEITURE, 3, 4.

Fuller's Earth.

12 *C.* 2. *c.* 32. *Eng.* None ſhall export from Ireland to Scotland, Jerſey, &c. any fullers earth or fulling clay, &c. on pain of 3 *s. per lb.* each, &c. and the owner of the ſhip knowing the ſame to forfeit it, and the maſter and mariners to forfeit all goods, &c. to the crown and informer. WOOL, &c. 1.

Furniture.

9 *W.* 3. Seſſ. 1. *c.* 32. Taking away with intent to ſteal the furniture of lodging let to the party is larceny and felony. CLERGY, 11.

Furze.

10 *W.* 3. Seſſ. 2. *c.* 8. None to burn any furs, *&c.* on any mountain, *&c.* from 2d February to 14th June yearly, on pain of 5*l.* GAME, 6.

Gads and Withs.

4 *A.* Seſſ. 2. *c.* 9. Perſons cutting or ſpoiling gads, withs, *&c.* ſhall pay 20*s.* to the poor, beſides ſatisfaction to the party. WOODS, 7.

9 *A.* *c.* 5. Perſons cutting or uſing gads or withs to forfeit 2d. for each, or in default to be whipt by the conſtable in a market town. *ibid.* 12.

2 G. 1. *c.* 16. None to uſe any ſaplin, *&c.* for a gad, *&c.* on pain of 5*s.* to the informer and poor, or be whipt by order of any juſtice of peace in a market town. *ibid.* 17.

21 *G.* 2. *c.* 13. Additional tolls through all turnpikes on carriages with gads, and on horſes carrying packs tied with gads. *ibid.* 20.

Galway.

17 & 18 *C.* 2. *c.* 2. What rules and orders are to be obſerved upon the elections of mayors, ſheriffs, recorders, *&c.* in the town of Galway. GALWAY, 1 to 7,

2 *A.* *c.* 6. No papiſt is to purchaſe a houſe, *&c.* in Galway. PAPISTS, 56.

4 G. 1. *c.* 15. Sheriffs of Galway to ſummon proteſtant freeholders out of the county at large to ſerve on juries in the town in pleas of the crown, *&c.* and penalty on refuſal. GALWAY, 8, 9, 10.

None to be elected mayor, *&c.* for Galway, that is not an inhabitant for one whole year before. *ibid.* 11.

Lord chancellor may appoint four juſtices of the peace for the town of Galway. *ibid.* 12.

All tradeſmen coming to reſide in Galway ſhall be free during reſidence, provided he was a proteſtant for ſeven years before, *&c.* *ibid.* 13.

Game.

13 *R.* 2. *c.* 13. *Eng.* No artificer, *&c.* ſhall keep a greyhound, *&c.* to hunt, *&c.* or deſtroy game on pain, *&c.* GAME, 1.

10 *W.* 3. *ſeſſ.* 2. *c.* 8. All laws relating to game and fiſh not repealed to be put in force. *ibid.* 2.

Penalty on any keeping a hound, *&c.* or ſhooting, *&c.* any hares, partridge, *&c.* that has not 40*l.* a year freehold, *&c.* *ibid.* 3.

Penalty on any qualified to keep ſuch hounds, *&c.* ſheltering perſons not qualified, *&c.* *ibid.*

Fire arms may be ſeized, *&c.* from any papiſt employed as a fowler for a proteſtant. *ibid.* 5.

Penalty on ſhooting a deer except on his own ground, or on the ground of his maſter, (being a proteſtant) and that by warrant. DEER-STEALERS, 2.

Penalty on any killing any male deer before the 10th of June unleſs of his own, or any male fallow deer after Michaelmas yearly. *ibid.* 3.

Penalty on any burning furze, *&c.* on any mountain, *&c.* from the 2d of February to the 14th of June yearly. GAME, 6.

None to trace a hare, *&c.* in the ſnow, nor deſtroy the eggs of any wild-fowl. *ibid.* 7.

Penalty on any ſhooting at, *&c.* pigeons except his own, not to extend to tenants keeping greyhounds for their landlords, *&c.* *ibid.* 7, 8.

None diſqualified as aforeſaid to keep a ſetting dog, *&c.* unleſs licenſed by the juſtices in ſeſſion to teach ſuch, *&c.* *ibid.* 9.

Penalty on ſervants fowling and ſelling the ſame, *&c.* *ibid.* 10.

Penalty on any of the army going out of their quarters, *&c.* with fire arms unleſs on duty. *ibid.*

Penalty on commanding officer not delivering up ſuch perſon, *&c.* *ibid.*

Penalty on any commiſſioned officer ſhooting or hunting with greyhounds, *&c.* except on his own ground, *&c.* *ibid.* 11.

Juſtices of peace, *&c.* may ſearch for veniſon, *&c.* and offender not giving a lawful account, *&c.* to be fined. *ibid.* 12.

Lords of manors may licenſe two game keepers, who may ſeize guns, *&c.* from perſons not qualified, *&c.* and penalty on perſons of lower degree reſiſting, *&c.* *ibid.* 13, 14.

Conſtable, *&c.* may detain offenders, *&c.* till a return be made, not exceeding two days, of the warrant iſſued for levying the penalty, *&c.* *ibid.* 15, 16.

Tradeſmen or apprentices hunting, hawking, *&c.* liable to the penalties. *ibid.* 18.

Game.

Not to extend to thoſe licenſed by the lord of the manor. *ibid.* 19.

None without conſent of the owner to kill red deer, &c. on pain of 40s. Offenders to be puniſhed, &c. DEER-STEALERS, 4.

6 *A.* c 14. Officers or ſoldiers deſtroying the game without leave from the lord of the manor, &c. the officer to forfeit £1 and the commanding officer ſhall pay 10s. for the ſoldier on pain of forfeiting their commiſſions. Forfeitures to go to the poor by a warrant of a juſtice of peace. SOLDIERS, 16.

25 *G.* 2. *c.* 2. Penalty on officers, ſoldiers, &c. killing any game after the 4th of March 1752, without permiſſion of the lord of the manor. *ibid.* 67.

——— *c.* 5. When pheaſants, partridges, quails, grouſe, or hares ſhall not be taken, &c. ſold, &c. and forfeiture on offenders. GAME, &c. 22.

In what manner the offence ſhall be determined, and the forfeiture recovered. *ibid* 25.

To whom the forfeitures ſhall be paid. *ibid.*

29 *G.* 2. *c.* 8. Penalty for taking or killing partridge from the firſt of February to the firſt of September. *ib.* 28.

31 *G.* 2. *c.* 9. Penalty for killing or deſtroying wild turkies. *ibid.* 29.

1 *G.* 3. *c*, 17. The act 25 *G.* 2. *c.* 5. continued until the firſt of May, 1769, &c. *ibid.* 30.

3 *G.* 3. *c.* 23. Perſons ſeized of eſtates ſhall have the abſolute property of the game on their lands. *ibid.* 32.

No perſon to look for or take game on another man's land without licence in writing. *ibid.* 33.

Saving for leſſees of fee-farms or for lives, ſuch rights as they had before, *ibid.* 34.

Perſons duly qualified may beat for hares as before. *ibid.* 35.

Perſons duly qualified may purſue game into the lands of another. *ibid.* 39.

Rights of lords of manors and other royalties ſaved as before. *ibid.* 40.

Time limited for taking partridge, quail, or grouſe. *ibid.* 41.

Penalties for killing, ſelling or buying them within the time prohibited. *ibid.* 42

Penalty for buying or ſelling hares from the firſt of February to the firſt of October. *ibid.* 42.

Penalties on higlers, carriers or ſtage coachmen in whoſe poſſeſſion ſuch game ſhall be found. *ibid.* 44.

Offences cognizable before one juſtice of peace. *ib.* 45.

5 *G.* 3. *c* 15. The act 3 *G.* 3. *c.* 23. continued to the firſt day of May, 1768. &c. *ibid.* 47.

Gaming.

10 *W.* 3. *ſeſſ.* 2. *c.* 11. Penalty on perſons by fraud, &c. winning at cards, &c. to be ſued for in ſix months, &c. and no eſſoign to be allowed. GAMING, 1.

If any ſhall play other than for ready money, or ſhall take any ſecurity, &c. for money won, the ſame ſhall be void, and forfeiture of treble value, &c. *ibid.* 2.

11 *A.* *c.* 5. Securities for Money, &c. won at play, void. *ibid.* 3.

Such ſecurities affecting lands to enure to the perſon to whom the lands ſhould come as if the incumbrancer was dead, and as if the ſecurities were made to him. *ibid.* 4.

Any perſon may recover back any ſum above 10l. loſt within 24 hours, or at one meeting, if ſued for in three months, a ſtranger after may ſue for it, &c. *ibid.* 5.

Penalty, &c. on perſons by fraud, &c. winning by play, &c. above 10l. in 24 hours, &c. *ibid.* 7.

Juſtices of peace, &c. may impriſon any perſon living by gaming on default of ſecurity for one year, &c. *ib.* 8.

What ſhall be deemed a forfeiture of recognizance entered into as required by this act againſt gaming. *ibid.* 9.

Forfeiture, &c. on perſons challenging to fight. &c. on account of gaming, &c. *ibid.* 10.

None to play or ſuffer to play at cards, &c. in any ſhop, &c. on pain of 10l. &c. poſſeſſor to be acquitted on his diſcovering if without his conſent. *ibid.* 11, 12.

Not to extend to hinder perſons from playing, gaming, &c. in the caſtle of Dublin, &c. *ibid.* 13.

Gaols and Gaolers.

5 *H.* 4. *c.* 10. *Eng.* No juſtices of peace to confine any perſon but in the common gaol, ſaving to lords their privilege. PRISONS, 2.

4 *A.* *c.* 6. Grand juries may preſent money for building and repairing gaols, &c. for conveying felons to gaol, &c. PRESENTMENTS, 2.

6 *G.* 1. *c.* 10. Grand jury may, at the aſſiſes and at the ſeſſions in the county of Dublin preſent a ſum not exceeding 10l. *per ann.* for the gaoler, &c. PRESENTMENTS, 7.

3 *G.* 3. *c.* 28. Penalty for taking any fee or rent for the appointment of a gaoler. PRISONS, 41.

Table of fees claimed by gaolers to be delivered to the grand jury. *ibid.* 42.

No gaoler to brew or bake or keep a ſhop for ſelling bread or liquors. *ibid.* 44.

No hogs, cows or other cattle to be kept in yards belonging to gaols. *ibid.* 46.

Neceſſary houſes adjoining to gaols to be provided by the grand juries. *ibid.* 47.

Room to be provided in addition to gaols for perſons inſane, of outrageous behaviour. *ibid.* 49.

Diſtinct appartments in gaols for men and women. *ibid.* 51.

Examination of behaviour of gaolers to his priſoners. *ibid.* 53.

Gavelkind.

4 *An.* *c.* 6. The lands, &c. of all papiſts ſeized in fee ſimple or tail ſhall deſcend in the nature of gavelkind. PAPISTS, 50.

Gauging.

27 *E.* 3. *c.* 8. *Eng.* } All wines brought into this realm, to be gauged on pain of forfeiture, and penalty on gaugers for delay in their duty. GAUGING, 1, 3.

4 *R.* 2. *c.* 1. *Eng.* }

14 *Ric.* 2. *c.* 8. *Eng.* } Wines, oil, &c. not gauged forfeited, but none to be diſtrained for not gauging of wines of Rhine. GAUGING, 4, 5.

18 *H.* 6. *c.* 17 *Eng.* }

Glaſs.

19 *G.* 2. *c.* 12. *Brit.* Penalty on any importing into Ireland any glaſs other than the manufacture of Great Britain, *&c.* and on exporting it from Ireland, and how maſters of ſhips are to import ſuch glaſs, and by whom offences may be heard. GLASS, 1 to 4.

Glebes and Manſe Houſes.

15 *C.* 1. *c.* 11. Any perſon may endow churches with glebes, *&c.* without licence of mortmain, provided ſuch endowment do not exceed 40 acres. GLEBES, *&c.* 1.

10 *W.* 3. *c.* 6. Biſhops, *&c.* in what manner to be reimburſed their expences in building, repairing, or purchaſing, *&c.* any improvements neceſſary to be added to their glebes. *ibid.* 2, 3.

Biſhop of Limerick may convey his demeſne to the uſe of ſucceſſors, and to be repaid for his improvements. *ibid.* 4.

Biſhop of Elphin to have liberty to build a new manſe houſe for that ſee, and to be repaid his expences. *ibid.* 5.

Lands of *Magherillen*, &c. to be added to the ſee of *Dromore*, and the biſhop to be repaid the purchaſe-money, *&c. ibid.* 6.

Eccleſiaſtical perſons having a glebe convenient to be built on, or whereon a houſe is built, may demiſe the ſame for one year. *ibid.* 7.

What certificates are required to intitle biſhops to ſuch diſburſements, and where to be kept. *ibid.* 8.

2 *An.* *c.* 10. } Parſons having cure, *&c.* may exchange
5 *G.* 2. *c.* 6. } diſtant glebes with an archbiſhop, *&c.* for lands of equal value, *&c. ibid.* 9. 60.

Biſhop, *&c.* of ſuch patronage to conſent to ſuch exchange, and if the glebe be in the crown, chief governors are to conſent, *&c. ibid.* 10.

The ſheriff to call a jury to aſcertain upon oath the value of the lands, *&c. ibid.* 11.

Vicar, *&c.* to hold the glebe ſo exchanged as he might have held his own formerly. *ibid.* 12.

Archbiſhops, *&c.* having lands near the church belonging to the archbiſhoprick, *&c.* may grant 20 acres to any ſuch church as a glebe, *&c. ibid.* 13, 14.

5 *G.* 1. *c.* 11. Archbiſhop, *&c.* may exchange the menſal lands in cities, which lie convenient to the cathedral church for building. *ibid* 15.

Archbiſhops may by conſent, *&c.* ſet apart for menſal lands ſuch of their other lands, *&c.* as lie nearer, *&c.* and ſet the old menſal lands at the improved rent, *&c. ibid.* 16 to 19.

Archbiſhop of Dublin may grant any lands, *&c.* to any curate in the dioceſe of Dublin, &c. and ſuch reſident curate, &c. building, *&c.* thereon, his executors, &c. to be reimburſed by his ſucceſſors, &c. as others are by 10 *W.* 3. *c.* 6. *ibid.* 20, 21.

—— *c.* 12. Any perſon may endow a church with lands, except demeſne, &c. and ſuch endowments to be inrolled in chancery. *ibid.* 22, 23.

None to grant ſuch endowment of any lands belonging to the manſion-houſe, &c. *ibid.* 24.

Incumbents purchaſing glebe lands, &c. ſhall be reimburſed. *ibid.* 25.

Any archbiſhop &c. by conſent may grant to any incumbent, &c. 40 acres of the ſee lands as a glebe ſubject to the limitations in 2 *An.* *c.* 10. &c. provided he grants but 40 acres in the whole. *ibid.* 26, 27.

Glebes and Manſe Houſes.

Glebe lands in an epiſcopal union not to exceed ſixty acres. *ibid.* 28.

Any incumbent building a houſe on his glebe may on the biſhop's certificate receive from the truſtees of the firſt fruits any ſum not exceeding 100l. &c. excluſive of what he is to receive for improvements. *ibid.* 29, 30.

Lands ſo given ſhall not make the parſon a freeholder, &c. *ibid.* 31.

10 *G.* 1. *c.* 6. Deans and chapter by conſent, &c. may endow, &c. vicarages, &c. with glebes, &c. *ibid.* 32, 33.

Biſhops, &c. may by conſent, &c. exchange any rectory, &c. for any lands of equal value. *ibid.* 34.

Such rectory, &c. to be ſettled upon the perſon having the actual cure of ſouls in the pariſh ſo exchanged. *ibid.* 35.

Saving to tenants their right, &c. *ibid.*

12 *G.* 1. *c.* 10. In what manner money expended in improvements by biſhops, &c. on houſes, glebe, &c. is to be repaid by the ſucceeding biſhops, *&c. ibid.* 36 to 46.

1 *G.* 2. *c.* 15. Perſons ſeized of lands in tail, in poſſeſſion may grant a glebe, and in what manner, to any incumbent, *&c. ibid.* 47, 48.

The biſhop ſhall ſequeſter the profits of the living for rent due on the lands, *&c.* being 21 days in arrear. *ib.* 49.

Such incumbent holding glebes ſubject to rent, to produce at the viſitation annually an acquittance in full for the laſt rent, *&c. ibid.*

Where rectors, *&c.* neglect to build, *&c.* as covenanted, *&c.* biſhop to ſequeſter, *&c.* and rectors, *&c.* not to demiſe lands ſo granted. *ibid.* 50.

Curates in abſence of the rector to enjoy ſuch lands, *&c. ibid.*

Rectors, *&c.* of 150*l. per ann.* livings, *&c.* having no houſe, *&c.* built before, ſhall build a ſlate houſe thereon after two years poſſeſſion, on failure biſhop to ſequeſter, *&c. ibid.* 51.

Every archbiſhop, *&c.* may endow lands not exceeding 20 acres ſubject to rent for a glebe, not having 10 acres before, rectors, *&c.* improving on ſuch lands to be reimburſed, *&c.* biſhops, *&c.* to be paid two thirds of their diſburſements on improvements. *ibid.* 52, 53.

Such diſburſements not to amount to above one year and half's income. *ibid.* 54, 55.

3 *G.* 2. *c.* 12. Tenant for life, *&c.* may grant 20 acres of land ſubject to the improved rent, *&c.* for a glebe, ſubject to former laws, and ſuch granted lands are to be deemed glebe, and the incumbent ſhall be obliged to build as on glebes. *ibid.* 56 to 60.

7 *G.* 2. *c.* 7. The chief governors impowered to divide or unite the glebes belonging to them, as well as the pariſhes by conſent, *&c.* and ſuch exchanged glebes, ſhall be deemed glebes of new erected pariſhes. *ibid.* 61, 62.

9 *G.* 2. *c.* 13. This act regulates doubts how much biſhops are to recover from their ſucceſſors for improvements, *&c. ibid.* 63.

Eccleſiaſtical perſons promoted to biſhopricks, and dying in a year after promotion, not deemed ſucceſſors. *ibid.* 64.

Such ſucceſſor is to have the profits of his living only, from the day of the death of ſuch biſhop ſo dying or removed. *ibid.* 65.

What time ſuch ſucceſſor is allowed to diſcharge money due for improvements, *&c. ibid.* 66.

Glebes and Manſe Houſes.

Biſhopricks in what manner chargeable with money for improvements by the certificates required by the 12 *G.* 1. *c.* 10. and the time allowed for giving in ſuch certificate. *ibid.* 67, 68.

15 *G.* 2. *c.* 5. Biſhops impowered to build new manſion houſes on any part of their ſees, and when intitled to repayment of the expence of ſuch new building, *&c.* and are obliged to keep the old manſion in repair. *ibid.* 69 to 71.

17 *G.* 2. *c.* 8. The chief governors to grant commiſſions to examine repairs of ruinous buildings on glebes, *&c.* and on return of ſuch commiſſions to grant a certificate as directed, *&c.* which certificate intitles the perſons obtaining it, their executors, &c. to the ſum ſo certified. *ibid.* 72.

29 *G.* 2. *c.* 8. The acts 2 *An.* *c.* 10, and 5 *G.* 2. *c.* 6. continued for 21 years. *ibid.* 79.

31 *G.* 2. *c.* 11. Beneficed perſons to build glebe houſes in a competent time to be limited by the biſhop. *ibid.* 70.

Grants of glebes for lives renewable for ever. *ib.* 73.

Eccleſiaſtical perſons may grant glebes in order to be exchanged. *ibid.* 74.

Gold and Silver.

38 *E.* 1. *c.* 20. *Eng.* None to make any veſſel, *&c.* except of good allay of gold, &c. and to be aſſayed, &c. Gold, &c. 1.

5 *H.* 4. *c.* 13. *Eng.* Penalty on gilding or ſilvering any locks, rings, &c. made of copper, chalices, and church ornaments excepted. *ibid.* 2.

2 *H.* 5. *c.* 4. *Eng.* Goldſmiths to gild no money but ſterling, on pain of forfeiture of the value. *ibid.* 3.

8 *H.* 5. *c.* 3. *Eng.* No metal but ſilver to be gilded, church ornaments excepted. *ibid.* 4.

2 *H.* 6. *c.* 14. *Eng.* Perſons ſelling any work of ſilver unleſs fine as ſterling (except ſouder) and marking work otherwiſe to forfeit double value. *ibid.* 5.

Penalty on ſtamping bad ſilver with the leopards head. *ib.*

25 *H.* 6. *c.* 10. Duty on broken ſilver bullion and wedges of ſilver brought from Ireland to England *ibid.* 6.

33 *H.* 6. *c.* 1. Duty on ſilver, &c. brought out of Ireland, and penalty on any concealing ſuch ſilver. *ibid* 7.

4 *H.* 7. *c.* 2. *Eng.* Finers of gold and ſilver to allay any fine ſilver or gold, nor ſell any but to officers of the mint and goldſmiths who are to give the value thereof. *ib.* 7.

No finer, *&c.* to ſell ſilver in maſs, molten and allayed on pain of forfeiture, and how much ſuch ſilver is to weigh. *ibid.*

No goldſmith to melt or allay any ſilver but for works of goldſmithry, nor ſell ſuch to any perſon molten into maſs, on pain of forfeiture. *ibid.* 7, 8.

4 *An.* *c.* 12. By this act, the act of 5 *H.* 4. *c.* 4. prohibiting the multiplication of gold or ſilver is made void. *ibid.* 9.

8 *An.* *c.* 6. Penalty on blanching copper or mixing it with ſilver, or buying or ſelling, *&c.* ſuch knowingly. *ib.* 10.

3 *G.* 2. *c.* 3. Duties payable on all gold, ſilver, *&c.* imported into this kingdom, and by 23 *G.* 2. *c.* 5. continued for 21 years from the 25th of March, 1751, and how ſuch duties are to be collected. *ibid.* 11, 12.

Penalty on goldſmiths, *&c.* ſelling gold, ſilver, *&c.* except ſmall wire, until marked, *&c.* and reward to be paid for ſuch mark, and to whom. *ibid.* 13, 14.

Aſſay maſter to keep a book and make due entries of all gold, ſilver, *&c.* ſo marked, and pay the duty monthly to the vice-treaſurer, and return his books yearly, and ſuch aſſay maſter to be ſworn, *&c.* and penalty on counterfeiting ſuch mark, *&c.* *ibid.* 15 to 20.

15 *G.* 2. *c.* 6. Commiſſioners may add 20l. *per ann.* to the ſalary of the aſſay maſter. *ibid.* 21,

23 *G.* 2. *c.* 5. Duties on gold and ſilver plate continued for 21 years, and to be raiſed and paid as by 3 *G.* 2. *c.* 3. and the penalties to be recovered as by that act with like remedy of appeal. *ibid.* 22, 23, 24.

25 *G.* 2. *c.* 1. Gold and ſilver lace, except of Britiſh manufacture imported, and the ſhip, *&c.* importing, to be forfeited, forfeiture how to be applied and recovered. *ibid.* 25.

—— *c.* 10. Penalty on buying, *&c.* wrought, *&c.* gold or ſilver plate, *&c.* not aſſayed, *&c.* by the aſſay maſter. *ibid.* 26.

How the penalty ſhall be ſued for, and to whom to be paid. *ibid.*

Aſſay maſter to lay before the corporation for promoting inland navigation when required, an account of all wrought, *&c.* gold and ſilver plate, *&c.* aſſayed by him, with the names of the owners of ſuch plate, *&c.* and the times of ſtamping, and the duty received for the ſame. *ibid.* 27.

Collectors of the cuſtoms to return diſtinct accounts of the duties granted by 3 and 23 *G.* 2. *ibid.* 28.

Examinators of cuſtoms and hearth-money to certifie ſeparately to the accountant general, the duties under their reſpective examinations, and for what purpoſe. *ib.*

1 *G.* 3. *c.* 9. To prevent frauds in lace, metal inferior to ſilver ſpun on thread, yarn, or incle only, not ſilk, penalty 5s. *per* ounce. *ibid.* 30.

Silver wire for thread 11 oz. 15 pen. wt. on the pound troy: to be gilt for wire-drawers, 11 oz. 10 pen. wt. and not under 4 pen. wt. 4 grains fine gold without allay on each pound. Penalty 5s. *per* ounce. *ibid.* 31.

No gilt wire coloured with verdegreaſe, *&c.* 6 oz. of plate at leaſt to cover 4 of ſilk, except large twiſt, frost, and brocade, *&c.* in which 6 oz. to 5, ſpun cloſe on well boiled and light dyed ſilk. Penalty 2s. 6d. *per* oz. *ibid.* 32.

Vending orrice lace of other materials than gold or ſilver, ſilk and vellum, 2s. 6d. *per* oz. *ibid.* 33.

If not by troy weight, 5s. *per* oz. *ibid.* 34.

Making or ſelling goods mixed with thread or plate contrary hereto, 5s. *per* oz. *ibid.* 35.

Importing thread, lace, fringe, *&c.* or wire, or plate, (except Britiſh) forfeited and burned, and 100l. every parcel. *ibid.* 36.

Proſecution in 6 months *ibid.* 37.

Inferior metal on thread, *&c.* may be wrought with ſilk for the theatre. *ibid.* 41.

Good Behaviour.

10 *E.* 3. *c.* 3. *Eng.* Perſons pardoned are to find ſurety for their good behaviour which is to be returned into chancery. Pardon, 2.

Good Behaviour.

2 *H.* 6. *c.* 8. *Eng.* Iriſhmen living and ſcholars in the univerſities in England, ſhall give ſecurity for their good behaviour. IRELAND, 25, 26.

10 & 11 *C.* 1. *ſeſſ.* 4. *c.* 10. No proceſs of the peace or good behaviour, ſhall be granted but upon motion in court, and ſhewing good cauſe, *&c.* SURETY OF THE PEACE, 1, 2.

Good-Friday.

27 *H.* 6. *c.* 5. *Eng.* No fairs to be held on Good-Friday, nor any perſons to ſhew or expoſe to ſale, *&c.* on pain, *&c.* FAIRS, &c. 3.

Goods.

5 *E.* 3. *c.* 9. *Eng.* None to be attached, or his goods, *&c.* ſeized contrary to law. LIBERTIES, &c 15.

10 *C.* 1. *ſeſſ.* 3. *c.* 10. Any perſon obtaining any of the goods, *&c.* of the inteſtate, ſhall be charged as executor in his own wrong, *&c.* EXECUTORS, 4.

7 *W.* 3. *c.* 12. No contracts for the ſale of goods, *&c.* for 10*l.* or upwards, ſhall be good, except the buyer accept part of the goods, or give earneſt, *&c.* FRAUDS, &c. 23.

15 *G.* 2. *c.* 8. Where perſons fraudulently remove or carry away their goods, *&c.* before rents paid, landlords may ſeize ſuch goods, *&c.* wherever found in twenty-one days. RENTS, 31, 39.

Grand Jury.

4 *An. c.* 6. No preſentment by a grand jury, *&c.* not lawful, *&c.* ſhall be allowed, *&c.* PRESENTMENTS, 1.

6 *An. c.* 6. No papiſt ſhall be put on a grand jury, *&c.* JURIES, &c. 29.

Great Britain.

5 *G.* 1. *c.* 5. *Brit.* The kingdom of Ireland is ſubordinate to Great Britain, and the King and parliament of Great Britain may make laws to bind Ireland. IRELAND, 27.

Greenwich Hoſpital.

7 & 8 *W.* 3. *c.* 21. *Eng.* 10 *An. c.* 17. *Brit.* Six pence *per menſem* to be paid by all maſters, *&c.* apprentices, *&c.* excepted, belonging to the ſubjects of Ireland, *&c.* for Greenwich Hoſpital. Admiralty may appoint collectors in all ports for the ſame. SEAMEN, 2 to 6.

2 *G.* 2. *c.* 7. *Brit.* Every ſeaman employed in ſhips, *&c.* apprentices under 18 excepted, to pay 6d. *per* month towards ſaid Greenwich-Hoſpital. *ibid.* 10, 11.

Maſters, *&c.* to pay ſuch part of ſaid duties as ſhall be due from them on their arrival in England or Ireland, *&c. ibid.* 13 to 15.

Penalty on maſters not paying ſaid duty before they are cleared inwards. *ibid.* 16.

Guardians.

14 & 15 *C.* 2. *c.* 19. Guardians appointed by the father, tho' under age, *&c.* may bring raviſhment of ward or trespaſs. GUARDIANS, 5.

Guardians.

Such guardians may take the profits of lands and perſonal eſtate, till the ward arrive at 21, and bring actions for the ſame, but not to diſcharge any apprentice. *ibid.* 6, 7.

When lord chancellor, *&c.* may appoint guardians, and who. *ibid.* 8.

Guardians appointed by this act, to enter into recognizance for the education of the infant in the church, and to render an account at full age, *&c.* for which their executors, *&c.* are accountable. *ibid.* 9, 10, 11.

1 *A. c.* 17. *Eng.* Perſons not taking the oaths hereby directed are incapable of being guardians to any children, *&c.* OATHS, 14.

2 *A. c.* 6. No papiſt ſhall be a guardian on pain of 500*l.* PAPISTS, 45.

8 *G.* 1. *c.* 6. The court to appoint guardians to an infant pleading nonage when ſummoned on a *ſcire fac'* *&c.* INFANTS, 7.

Gun-powder.

1 *G.* 2. *c.* 27. Perſons keeping above 100 lb. weight of gun-powder in any houſe in Dublin, except the King's ſtores, to forfeit 100l. two thirds to the informer, the other to the workhouſe. DUBLIN, 159.

Importers of gun-powder lodging any quantity within one mile of Dublin, or leaving it on the Cuſtom-houſe-quay above 24 hours, to forfeit 100l. to the ſame uſe. *ibid.*

Lord mayor, *&c.* on complaint to iſſue his warrant to a bailiff, *&c.* impowering them to enter and examine ſuch houſe, and to ſearch for gun-powder, *&c. ibid.*

This act not to extend to perſons licenſed to keep gunpowder in warehouſes. *&c. ibid.* 160.

Gypſies, See Egyptians.

Habeas Corpus.

2 *H.* 5. *c.* 2. *Eng.* If *corpus cum cauſa*, &c. be granted to remove a perſon in execution, he ſhall be remanded. CORPUS CUM CAUSA, 1.

10 *C.* 1. Seſſ. 2. *c.* 18. No writ of *Habeas Corpus*, *&c.* to be granted unleſs the cauſe, *&c.* be therein contained, and the ſame to be ſigned by the chief juſtice, *&c.* on pain of 5l. *&c.* BAIL, 8.

7 *W.* 3. Seſſ. 1. *c.* 25. Plaintiffs in a perſonal action may ſue forth an original againſt a priſoner, and may have a *Habeas Corpus* to bring him before any juſtice, *&c.* PRISONS, &c. 16.

9 *W.* 3. *c.* 38. No writs except error or attaint to remove any cauſe, *&c.* ſhall be allowed, *&c.* except the ſame be delivered before iſſue or demurrer joined, unleſs the ſame be joined in 6 weeks after arreſt or appearance. CORPUS CUM CAUSA, 2.

When remanded by *procedendo* the action ſhall never be removed again before judgment. *ibid.* 3.

No action to be moved out of the ſaid courts not concerning freehold, *&c.* if the demand amount not to 5l except by error, *&c. ibid.* 4.

Writs iſſued contrary may be refuſed, *&c. ibid.* 5.

Habeas Corpus.

10 *W.* 3. Seſſ. 2. *c.* 9. Priſoners committed on *Habeas Corpus ad ſatisfac'* to pay the marſhal 6d. *per* pound for the firſt 100l. and 3d. after, *&c.* PRISONS, *&c.* 17.

8 *G.* 1. *c.* 6. Sheriffs, *&c.* not obliged to remove a priſoner in execution on a *Habeas Corpus*, &c. until the priſoner depoſite the expences of his removal. HABEAS CORPUS, 1.

Hackney Chairs and Coaches, See Coaches and Chairs.

Harbourers.

33 *H.* 8. Seſſ. 1. *c.* 15. Perſons harbouring able beggars to be fined, *&c.* VAGRANTS, 9.

9 *W.* 3. Seſſ. 1. *c.* 26. Perſons concealing or entertaining popiſh biſhops, *&c.* tranſported, *&c.* to forfeit 20l. PAPISTS, 22.

4 *A. c.* 12. Harbourers of felons diſcovering and proſecuting two or more other harbourers to conviction, are pardoned for harbouring only. ROBBERY, 40.

6 *A. c.* 11. Harbourers of tories when to be pardoned, *&c. ibid.* 44.

8 *G.* 1. *c.* 9. Perſons harbouring ſubjects inliſting, *&c.* in any foreign ſervice as a ſoldier, is guilty of felony, *&c.* FOREIGN STATES, 2.

Perſons harbouring a felon, ordered for tranſportation eſcaping, is guilty of felony. FELONY, *&c.* 39.

Hares, See Game.

Hawkers and Pedlars.

25 *G.* 2. *c.* 4. Duty payable by hawkers, *&c.* for themſelves and their beaſts, and how to be collected. HAWKERS, *&c.* 1,

Hawkers, *&c.* to give notice to the collector of exciſe, in what manner they intend to travel. *ibid.* 2.

The yearly duty to be paid on giving ſuch notice, and a licence to be granted by the collector. *ibid.*

Penalty on trading without or contrary to ſuch licence, and how to be applied. *ibid.* 3.

Directions to collectors to grant the licence on the terms aforeſaid. Money payable for the collector's uſe. *ibid.* 4.

Collectors accountable for the duties, and to what penalties and forfeitures they are ſubject. *ibid.* 5.

To whom the money ariſing from the duties ſhall be paid by the vice-treaſurer or receiver-general. *ibid.* 6.

Penalty on counterfeiting licences, or travelling with ſuch counterfeited licence, how to be recovered and applied. *ibid.* 7.

Perſons ſued for executing this act, may plead the general iſſue, and give the ſpecial matter in evidence. *ibid.* 8.

In what caſes defendants in ſuch ſuits ſhall have treble coſts, and how to be recovered. *ibid.*

Forfeiture of conſtables neglecting to aid in the execution of this act, how to be levied and applied. *ibid.* 9.

Hawkers and Pedlars.

If trading without ſuch licence, perſons ſeizing may carry them before a juſtice of the peace, or the collector of the cuſtoms for that diſtrict, who are impowered on conviction to levy 5*l.* on the goods of the offenders. *ibid.* 10.

To what perſons this act ſhall not extend to prohibit from going about and trading. *ibid.* 11, 12, 13, 14.

In what manner collectors, *&c.* ſhall be paid for their ſervice in relation to this act. *ibid.* 15.

This act not to give power to licenſe hawkers, *&c.* to ſell wares, *&c.* in any city, *&c.* any otherwiſe than before this act. *ibid.* 16.

Hay.

7 *W.* 3. Seſſ. 1. *c.* 22. Hay may be diſtrained and locked up in the ſame place where diſtrained and not to be removed, *&c.* DISTRESS, 19.

2 *A. c.* 15. No butchers, *&c.* ſhall keep any oxen, *&c.* at hay exceeding 10 days on pain of forfeiting the ſame. BUTCHERS, 4.

4 *G.* 1. *c.* 11. } 25 *G.* 2. *c.* 15. } Every car or load of hay to be ſold to weigh 400 wt. 112 lb. to the 100 on pain of 2s. 6d. *&c.* DUBLIN, 183. *&c.*

8 *G.* 1. *c.* 2. Juſtices ſhall appoint perſons to watch hay, *&c.* diſtrained till ſold, allowing them 1s. 6d. *per* day and night, *&c.* DISTRESS, 27.

Hearth money.

14 & 15 *C.* 2. Seſſ. 4. *c.* 17. Every fire hearth, to pay to the king 2s. yearly. HEARTH-MONEY, 1.

Conſtables to have returns of all hearths in their diſtricts by the 20th of December, on pain, *&c. ibid.* 2.

Penalty on conſtables returning falſe hearths. *ibid.*

Juſtices of peace to inquire of ſuch returns, and puniſh offenders, and are to receive the returns given to conſtables at their quarter ſeſſions in December. *ibid.* 3, 4.

Juſtices of peace to have ſuch returns inrolled by the clerk of the peace to be returned into the exchequer, and penalty on their neglect. *ibid.* 5.

Clerk of the peace to give ſheriffs returns, who are to collect all hearth-money in their limits. *ibid.* 6.

Allowance to clerk of the peace for his trouble, not to exceed 3d. *per* pound. *ibid.* 7.

The revenue ariſing by this act to be paid into the exchequer, and all clauſes of *non obſtante* void, and the general iſſue pleadable. *ibid.* 8, 9.

Allowance to be given for decreaſe of hearths and arrears not recoverable, if not ſued for in two years. *ibid.* 10, 11.

Alms people, *&c.* not chargeable with hearth-money, and penalty on perſons procuring, *&c* any grants from the king out of this revenue. *ibid.* 12, 13.

Private ovens, *&c.* not to pay hearth-money, and the tenant and not the landlords to be charged therewith, and none to be privileged as debtors to the king. *ibid.* 14, 15, 16.

Hearth money.

17 & 18 *C.* 2. *c.* 18. Juſtices of peace impowered to examine on oath perſons making returns of hearths. *ibid.* 17.

Occupiers of houſes to forfeit 4s. for every hearth they conceal in their returns, and penalty on conſtables neglecting to give notice before ſuch returns are required. *ibid.* 18.

Lord lieutenant, *&c.* may appoint officers for collecting this duty and diſcharge the former. *ibid.* 19, 20.

The officer on giving notice to the ſheriff of the county of his being appointed, may diſtrain for this duty, *&c.* Penalty on conſtables refuſing to aſſiſt. *ibid.* 21.

None to be charged with arrears if not ſued for in 2 years. *ibid* 22.

Officers to give ſecurity and to take an oath of faithful execution of his duty. *ibid* 23.

Perſons fraudulently, *&c.* ſtopping, *&c.* hearths to pay double duty, *&c.* diſputes to be decided by the magiſtrates, *&c.* *ibid.* 24.

Allowances of clerks of the peace to be paid by collectors, *&c.* who are to be appointed by the lord lieutenant. *ibid.* 25, 26.

Certificates of 8s. *per ann.* rent to extend to widows only. No houſe within the precincts of a cathedral church to be diſcharged, and ovens in bakers houſes, *&c.* chargeable. *ibid.* 27, 28, 29

Duty payable on tenth of January, and yearly returns of hearths to be made before the tenth of November yearly, and conſtables to give notice to make ſuch returns by the 3d of November yearly. *ibid.* 30.

Houſes wherein no hearth is fixed to be charged with two hearths. *ibid.* 31.

Hedge breakers.

10 *C.* 1. Seſſ. 2. *c.* 23. Perſons unlawfully, *&c.* breaking any hedges, *&c.* and their receivers, *&c.* being convict before a juſtice of peace ſhall make ſatisfaction, *&c.* or be whipped. Trespass, 2.

Conſtables refuſing whipping ſuch perſons, to be ſent to gaol and whipped. No juſtice to execute this act in his own caſe. *ibid.* 3.

4 *Ann.* *c.* 9. Penalty on perſons breaking hedges. Woods, 8.

Where the ſatisfaction exceeds 30s. the juſtice ſhall bind the offender to the ſeſſions, *&c.* *ibid.* 9.

9 *A.* *c.* 5. Penalty on perſons cutting or uſing gads or withs. *ibid* 12.

Perſons to be proſecuted in a month, *&c.* *ibid.* 13.

Hedges, for the plaſhing and cutting them. See Highways.

Heir.

7 *W.* 3. Seſſ. 1. *c.* 6. The heir at law to have equal ſhare of the ſurplus of the deceaſed, *&c.* notwithſtanding any lands by deſcent or otherwiſe. Administrators, 8.

——*c.* 12, A truſt in fee ſhall be aſſets by deſcent, but the heir ſhall not be chargeable on his own eſtate by reaſon of confeſſing the action. Truſts, 5.

Heir.

4 *A.* *c.* 5. Creditors by bond, *&c.* may have their action of debt againſt the heir and deviſee jointly. Frauds, &c. 26, 27.

The heir ſhall be anſwerable for his anceſtors debts of lands deſcended to him, *&c.* to the value of the lands to him conveyed, *&c.* *ibid.* 28.

25 *G.* 2. *c.* 11. This act for avoiding doubts relating to the atteſtation of wills, *&c.* concerning real eſtates, in what reſpect not to extend to the caſe of any heir at law, or any perſon claiming under him. Wills, 14.

What ſhall not be deemed a poſſeſſion of the heir at law within the meaning of this act. *ibid.* 22, 23.

Hemp and Hemp-Seed. See Flax.

Hereſy.

2 *E.* *c.* 1. Nothing to be hereſy, *&c.* but what is ſo adjudged by canonical ſcriptures, or by the firſt 4 general councils, or by parliament. Heresy, 2.

7 *W.* 3. Seſſ. 1. *c.* 1. The writ of *Heretico Comburendo* is taken away, but ſhall not leſſen the power of biſhops, *&c.* in caſes of atheiſm, blaſphemy, hereſy or ſchiſm. *ibid.* 3, 4.

Heron.

17 *G.* 2. *c.* 10. Perſons killing herons, cormorants, *&c.* are intitled to 6d. each, to be paid by the grand jury. Vermin.

Heriots.

10 & 11 *C.* 1. Seſſ. 4. *c.* 18. Penalty on any diſtraining for heriots where none is due by law, *&c.* Heriots, 1, 2.

14 & 15 *C.* 2. Seſſ. 4 c. 19. A ſaving proceſs for heriots, *&c.* in taking away the court of wards. Tenures, 8.

Herrings. See Fiſh.

Hides and Skins.

11 *E.* Seſſ. 3. *c.* 5. None to lay any hides, *&c.* with lime in them, in any running freſh water, *&c.* on pain of forfeiting the ſame, *&c.* Water, 1.

10 *W.* 3. Seſſ. 2. *c.* 12. None but known tanners to tan hides, *&c.* Woods, 2.

2 *A.* Seſſ. 1. c. 15. No butcher to gaſh or cut any hide in ſlaying, on pain of 1s. 8d. the ſaid offence may be determined in ſeſſions, *&c.* Butchers, 6.

8 *G.* 1. *c.* 7. A place to be prepared in Dublin by the lord mayor, *&c.* for ſelling green hides, *&c.* and none to be ſold elſewhere, and to be ſold by weight on pain, *&c.* Hides, *&c.* 1.

A weigh-maſter giving ſufficient ſecurity to be appointed to weigh ſuch hides, *&c.* diſputes to be determined by the lord mayor, *&c.* *ibid.* 2, 3.

Weigh-maſters fee for weighing hides, *&c.* *ibid.* 4.

Hides in ſalting to be laid fleſh to fleſh, on pain of 10s. weigh-maſters to be appointed in all cities, *&c.* for weighing ſalt hides, penalty on miſbehaviour. *ibid.* 5, 6.

Hides and Skins.

Weigh-maſter may at the buyers requeſt, open ſalt hides, and make allowances, penalty on any buying or ſelling ſalt hides not weighed, &c. *ibid.* 6.

Penalty on perſons cutting, &c. any hides, &c. *ibid.* 7.

10 G. 1. c. 9. The weigh-maſters fees enlarged for weighing hides, &c. *ibid.* 9.

12 G. 1. c. 5. Penalty on weigh-maſters treating for, &c. any hide till weighed, &c. *ibid.* 10.

No replevin to lie for hides, &c. ſeized, &c. by this act and the general iſſue pleadable. *ibid.* 11.

13 G. 2 c. 12. Weigh-maſters to keep proper entries of the weight, &c. of hides, and to give a draught of the ſame to buyers if requeſted, &c. *ibid.* 13.

21 G. 2. c. 7. Green hides and calve skins at Cork to be ſold only at public places, appointed by the weigh-maſters, and not by hand but by weight. *ibid.* 14.

Forfeiture of buyer or ſeller offending, how recoverable and to be applied. *ibid.*

Weigh-maſters to keep entries of ſuch hides, and give allowance for tare, dirt, &c. *ibid.* 15.

On refuſing ſuch allowance, or if diſputed, to be finally determined by the mayor of Cork. *ibid.*

Weigh-maſters to provide ſcales for weighing, and ſheds, hooks and clean floors, that any damage to hides may appear. *ibid.* 16.

Allowance to weigh-maſters for weighing hides. *ib.* 17.

Penalty on not laying hides ſalted for ſale, fleſh to fleſh. *ibid.* 18.

Weigh-maſters to weigh ſalted hides, and their allowance for weighing the ſame, and may detain the hides till paid. *ibid.* 19.

——to open ſalted hides at requeſt and expence of buyers, and make reaſonable allowance for dirt or wet. *ibid.*

Mayor of Cork finally to determine any diſpute about ſuch allowance. *ibid*

Penalty on buyer or ſeller making or accepting other allowance than made by the weigh-maſters. *ibid.* 22.

Remedy on objecting to allowance of the weigh-maſter. *ibid.*

In what manner offenders againſt this act may be ſeized, detained and proſecuted for the penalties, and the penalties how to be applied. *ibid.* 23.

High Conſtables,

7 G. 2. c. 12. High conſtables to be appointed in all counties (except the city and county of Dublin) by preſentment of the grand jury, &c. CONSTABLES, 4.

High Treaſon, vide Treaſon.

Highways.

5 G. 3. c. 14. The former laws relative to the amending or repairing highways repealed. HIGHWAYS, 1.

Preſentments of money on baronies for making roads through ſuch baronies. *ibid.* 2.

Wages for overſeers not exceeding 3d. a perch. *ibid.*

Affidavit of two credible perſons to be made previous to the preſentment. *ibid.* 3.

Affidavit by one of the overſeers before payment of the money preſented. *ibid.* 4.

Affidavit by two credible perſons before any preſentment for making a new road. *ibid.* 5.

No money to be paid till an affidavit is made by one of the overſeers of the ſums expended. *ibid.* 6.

Old roads to be 21 feet wide in the clear. *ibid.* 7.

Grand juries may lay out new roads from town to town or directly to the ſea. *ibid.* 8.

Notice to be poſted 7 days previous to the aſſizes or ſeſſions. *ibid.* 10.

Notice to be given to the owners or occupiers of the lands 21 days before, and that a map has been lodged with the treaſurer. *ibid.* 11.

Owners or occupiers of lands may traverſe preſentments. *ibid.* 12.

Juries for trial of traverſes may aſſeſs damages for the owners, &c. *ibid.*

Grand juries may raiſe money for payment of the damages, and for making fences. *ibid.* 13, 14.

No money to be raiſed on an intire barony, where ſuch barony is ſeparated into diviſion in the county-book. *ibid.* 16.

Preſentments may be made for ſtopping old roads, where new roads have been made. *ibid.* 17.

Preſentment on counties at large for building bridges, &c. or walls for the ſupport of roads. *ibid.* 21.

Order of 2 juſtices for repair of ſudden damages in bridges. *ibid.* 23.

Order of one juſtice for repair of breaches in roads. *ibid.* 26.

Money preſented and not expended to be laid out on any other road or bridge in the barony where raiſed. *ibid.* 29.

Owners of ferry, may erect a bridge and take tolls. *ibid.* 30.

Overſeers may raiſe ſtones, gravel, &c. for roads or bridges. *ibid.* 32.

Satisfaction for damages to be made. *ibid.* 33.

Penalty for obſtructing the raiſing or carrying away materials. *ibid.* 34.

Ditches and drains to be ſcoured and hedges cut by owners of land. *ibid.* 35.

Building within 25 feet of the center of any road, the penalty. *ibid.* 37.

Nuſances and annoyances on roads to be puniſhed. *ibid.*

Penalty for drawing mill-ſtones, unleſs ſupported on wheels. *ibid.* 38.

Houſes built contrary to this act to be pulled down. *ibid.* 39.

Fines to be impoſed for offences. *ibid.* 41.

This act to extend to counties of cities and towns. *ibid.* 44.

Holy Days and Faſting Days.

3 J. 1. c. 1. *Eng.* The 5th of November appointed to be always kept as a day of thankſgiving, &c. in England, &c. of which the miniſters are to give notice. HOLY DAYS, 1, 2, 3.

Holy Days and Fasting Days.

12 *C.* 2. c. 30. *Eng.* Every 30th of January, unleſs it falls on a Sunday, and then the day following, to be kept as a holyday. *ibid.* 4.

14 & 15 *C.* 2. *c.* 1. Prayers, *&c.* to be celebrated on every 29th day of May, of which miniſters are to give notice. *ibid.* 5, 6, 7.

——c. 23. Miniſters on every 25th day of October ſhall celebrate morning prayers, and ſaid day to be kept as a holyday, of which the miniſters are to give notice. *ibid.* 8, 9.

7 *W.* 3. Seſſ. 1. *c.* 14. Holydays appointed by this act ſhall be kept, and no others, and penalty on labourers refuſing to work on any other days. *ibid.* 10, 11.

Penalty on conſtables for neglecting in apprehending ſuch labourers, and complaints to be made in 10 days. *ibid.* 12, 13.

——c. 17. Penalty on perſons working, travelling, or ſelling goods, *&c.* or hurling, *&c.* on the Lord's day. *ibid.* 14, 15, 16.

Not to extend to cooks dreſſing meat, *&c.* and the proſecution to be in 10 days. *ibid.* 17, 18.

County not anſwerable for robberies committed on perſons travelling on the Lord's day. *ibid.* 19.

In what caſes the ſervice of any proceſs, *&c.* on the Lord's day is allowed. *ibid.* 20.

Penalty on vintners, *&c.* entertaining perſons during divine ſervice on the Lord's day. *ibid.* 21.

Churchwardens, *&c.* to inſpect and ſearch ale-houſes, *&c.* *ibid.* 22.

This act not to extend to perſons lodging, *&c.* in inns before the Lord's day. *ibid.* 23.

24 *G.* 2. c. 23. *Eng.* Holydays ſhall be obſerved in the days marked in the new calendar. CALENDAR, 3.

Honey.

10 *W.* 3. *ſeſſ.* 2 *c.* 12. Perſons having or ſelling honey-combs, *&c.* not having bees of their own, *&c.* ſhall prove how they came by them, or on failure to ſtand convict and ſuffer as by law, *&c.* TRESPASS, 5.

Hops.

9 *Ann. c.* 12. *Brit.* Foreign hops imported into Ireland, except from England, to be forfeited, *&c.* HOPS, 1.

1 *G.* 1. *c.* 12. *Brit.* Penalty on maſters of ſhips carrying hops to Ireland, not taking a duplicate from the collector, *&c.* in Great Britain, and delivering the ſame to the proper officer in Ireland. *ibid.* 2.

6 *G.* 1. *c.* 11. *Brit.* No drawback allowed on exportation of hops of Britiſh growth to Ireland. *ibid.* 3.

5 *G.* 2. *c.* 9. *Brit.* No hops to be imported from the plantations into Ireland, notwithſtanding 4 *G.* 2. *c.* 15. *Brit. ibid.* 4.

Horſes.

10 & 11 *C.* 1. *c.* 15 None to plough their horſes, *&c.* by the tail. *&c.* HORSES, 1.

14 & 15 *C.* 2. *c.* 3. Hoſtiers and inn-holders, *&c.* to be anſwerable for horſes, *&c.* delivered to them to be kept. *ibid.*

4 *A.* c. 11. Proprietors of fairs to appoint a certain place for ſale of horſes, and appoint a perſon to make due entries of all horſes ſold, *&c.* on pain, *&c.* and to return ſaid entries to the ſaid proprietor. *ibid.* 3, 4.

Sale in fair of a ſtolen horſe, unleſs the ſame be publickly rid, *&c.* for one hour, ſhall not alter the property, *&c.* and the book-keeper to enter no horſe unleſs he knows the ſeller, *&c.* on pain of 20s. *&c.* *ibid.* 5, 6.

Juſtices of aſſiſe to inquire into and fine offenders againſt this act, and how ſuch fines are to be applied. *ibid.* 7, 8.

17 *G.* 2. *c.* 5. Killing any horſe, mare, *&c.* with intent to ſteal the fat, *&c.* and buying the fat, *&c.* knowing it to be ſo unlawfully taken, is felony without benefit of clergy. CATTLE, 29.

Horſe Races.

13 *G.* 2. *c.* 8. Perſons running horſes for leſs than 20*l.* to forfeit the horſes and 20l. and how to be applied. HORSE RACES, 1, 2.

The corporation of horſebreeders in the county of Down, are authorized to continue their races, *&c.* without being ſubject to the penalties inflicted on illegal races. *ibid.* 2.

In what time penalties are to be ſued for and where to be tried. *ibid.* 3, 4.

Hoſpitals.

2 *H.* 5. *c.* 1. *Eng.* The biſhops by the King's commiſſion to viſit hoſpitals of the King's foundation, and report into chancery, *&c.* HOSPITALS, 1.

10 *C.* 1. *ſeſſ.* 3. *c.* 1. All biſhops, *&c.* may be compelled in chancery, *&c.* by petition to apply any lands, *&c.* to them granted in truſt for building or repairing hoſpitals, *&c.* CHARITABLE USES, 1.

Houſes of Correction.

10 & 11 *C.* 1. *c.* 4. To be provided in every county, on pain of 5*l.* on every juſtice neglecting, by tax on inhabitants at ſeſſions. VAGRANTS, 17.

Treaſurer nominated yearly: to give up, with account, to ſucceſſor at Michaelmas ſeſſions: refuſing, fined 3*l.* at leaſt. *ibid.* 18.

Governors nominated at ſeſſions; to puniſh and ſet to work vagrants, &c. who ſhall be allowed only as they deſerve by labour. *ibid.* 19.

Governor's allowance appointed at ſeſſions; and paid quarterly before-hand by treaſurer or ſecurity. *ibid.*

To give account of priſoners at ſeſſions; and fined on eſcape, &c. *ibid.*

Perſons able to labour, leaving their families on the pariſh, or threatening it, ſent to houſe of correction, unleſs ſecurity found. *ibid.* 20.

29 *G.* 2. c. 14. Preſentment at aſſizes: when built, not above 10 l. overſeers by the judges; to account as for highways. PRESENTMENTS, 16.

Separate from the gaol: diſtinct apartment for men and women. *ibid.*

Hue and Cry.

13 *E.* 1. c. 1. *Eng.* Wincheſt. Hue and cry, &c. ſhall be made in all counties, &c. after murderers, &c. ROBBERY, 2.

Hue and cry and freſh ſuit ſhall be made in all counties, hundreds, &c. *ibid.*

10 & 11 *C.* 1. ſeſſ. 4. c. 13. On default of freſh hue and cry the inhabitants of the hundred, &c. to anſwer half the damages, &c. *ibid.* 12.

7 *W.* 3. ſeſſ. 1. c. 87. The hundred not chargeable with a robbery committed on Sunday, but they may make hue and cry. HOLYDAYS, &c. 19.

Husbandry, and Huſbandmen.

25 *H.* 6. c. 7. Penalty on ſons of huſbandmen, &c. not continuing ſo. HUSBANDRY, 4.

28 *H.* 8. c. 24. Perſons not able to keep their children at ſchool at the age of 10 years, to put them to handicrafts or huſbandry, on pain of 6 s. 8 d. &c. *ibid.* 5.

1 *G.* 2. c. 10. All perſons having 100 acres in poſſeſſion of any ground, except walled parks, &c. to plough 5 acres, on pain, &c. provided they have the conſent of the landlord. *ibid.* 6, 7.

Identitate nominis.

37 *E.* 3. c. 2. *Eng.* Where perſon is outlawed for want of a good declaration, &c. and his lands, &c. ſeized, he may have writ of *identitate nominis*, &c. IDENTITATE NOMINIS, 1.

9 *H.* 6. c. 4. *Eng.* Writ of *identitate nominis* maintainable by executors. *ibid.* 2.

Idiots and Lunaticks.

17 *E.* 2. c. 9. *Stat. Prerog. Reg. Eng.* The King to have wardſhip of the lands of natural fools, and take the profits without waſte, and after idiots death the lands to revert to the right heir. IDIOTS, &c. 1.

c. 10. The lands of perſons loſing their ſenſes, to be preſerved without waſte, and the perſon ſupported, but ſuch lands not to be aliened. *ibid.* 2.

5 *G.* 2. c. 3. Idiots, &c. being truſtees to the committees of ſuch perſons, &c. may by order of chancery convey their truſt eſtates, &c. *ibid.* 3, 4.

Jeofails, See Amendments, &c.

33 *H.* 8. ſeſſ. 2. c. 3. After iſſue tried in B. R. &c. judgment ſhall be given notwithſtanding any miſpleading, &c. PLEADINGS, 7.

Not to extend to ſuits between the King and ſubjects, &c. *ibid.* 10.

10 *C.* 1. c. 12. After verdict in any court of record judgment ſhall not be ſtayed, &c. for default of form touching falſe Latin, &c. ſo as the panel be annexed thereto. *ib.* 15.

Not to extend to murder, &c. *ibid.* 17.

17 and 18 *C.* 2. ſeſſ. 5. c. 12. After judgment in any action, judgment ſhall not be ſtayed, &c. for default of form, &c. or *profert in curia* of bonds, &c. *ibid.* 22.

Nor ſhall any judgment by *cognovit*, &c. be ſtayed for want of entering *miſer'* or *cap'*, &c. *ibid.*

Not to extend to felony, &c. *ibid.* 23.

9 *W.* 3. ſeſſ. 1. c 38. The acts of 33 *H.* 8. ſeſſ. 2. c. 3 10 *C.* 1. ſeſſ. 2. c. 11. to extend to inferior courts. *ib.* 24.

6 *A.* c. 10. No advantage ſhall be taken for any immaterial traverſe or default of entering pledges. *ibid.* 26.

All the ſtatutes of jeofails extend to judgments by confeſſion, *nihil dicit*, &c. *ibid.* 27

Not to extend to felony, &c. *ibid.* 31.

11 *G.* 2. c. 6. All ſtatutes for amending delays, &c. ariſing from jeofails, ſhall extend to all proceedings except in criminal caſes when the forms are in Engliſh, &c. *ibid.* 40.

19 *G.* 2. c. 12. The act 6 *Ann.* for amendment of the law, &c. and all ſtatutes of jeofails are extended to writs of *mandamus*, and informations in nature of a *quo warranto*. CORPORATIONS, &c. 34.

Jeſuits.

9 *W.* 3. ſeſſ. 1. c. 26. All jeſuits, &c. to depart the kingdom before the firſt of May, 1698, and thoſe found after to be tranſported, &c. PAPISTS, 20.

India Goods.

7 *G.* 1. c. 21. *Brit.* Where and in what manner India goods landed in Ireland, &c. are to be ſhipped, &c. INDIA GOODS, 1.

12 *G.* 2. c. 22. *Brit.* Commiſſioners, &c. of exciſe in Ireland, ſhall determine all offences againſt any act of Parliament in force in Ireland, for preventing the running, &c. into the kingdom, any commodity of the growth, &c. of the Eaſt Indies, &c. *ibid.* 2.

33 *G.* 2. c. 10. India goods (except ſpices) and above two pound of tea, going by land carriage, ſhall be deemed run goods, unleſs permit is produced, &c. CUSTOMS 224.

Indicavit.

34 *E.* 1. c. 8. *Eng.* No writ of *indicavit* to be granted before the ſuits be recorded in the ſpiritual court, &c. INDICAVIT.

Indictments.

2 *H.* 4. c. 10. *Eng.* Several perſons in one indictment ſhall pay but one fee for them all, and that two ſhillings. CLERK OF THE CROWN, &c. 1.

11 *H.* 4 c. 9. *Eng.* Indictment to be made by inqueſt of lawful men, &c. JURIES, &c. 12.

1 *E.* 4. c. 2. *Eng.* Sheriffs ſhall return indictments in the turns to the ſeſſions on pain of 40 l. &c. JUSTICES OF PEACE, 15.

10 and 11 *C.* 1. ſeſſ. 4. c. 10. Writs to remove indictments, &c. void, unleſs granted on motion in court and on ſureties. SURETY OF THE PEACE, 2.

4 *A.* c. 10. No fees ſhall be taken when indictment ſhall be returned *ignoramus*, on forfeiture of 20 l. to the crown, and the party grieved. INDICTMENTS, 1.

Not to extend to indictments of treaſon, &c. *ibid.* 2.

8 *A.* c. 5. No *certiorari* ſhall lie to remove an indictment from aſſizes, &c. at the proſecution of the defendant, &c. but on motion of council on affidavit, &c. CERTIORARI, 2.

2 *G.* 1. c 20. No indictment, &c. for words to be proſecuted

Indictments.

cuted unleſs information be given on oath to a juſtice of peace in two months, &c. ACTIONS POPULAR, 8.

3 *G.* 2. *c.* 9. No fees ſhall be taken on indictments by ſheriffs, &c. if indictment is preferred and returned *ignoramus* on pain of 20 l. to the party grieved. INDICTMENTS, 3.

11 *G.* 2. c. 6. All indictments, &c. ſhall be in the Engliſh language on the penalty of 20 l. PLEADINGS, 36.

Indorſement.

3 *G.* 2. c. 4. Forging, &c. any deed, &c. or receipt for 5 l. &c. or indorſing the ſame, the party deemed guilty of felony, and to be burned in the hand or tranſported, &c. FORGERY, 14.

17 *G.* 2. c. 11. Perſons making falſe indorſement, &c. of any bill of exchange ſhall be excluded clergy, &c. FORGERY, 17.

Infants.

6 *E.* 1. c. 2. *Glouc. Eng.* Where an infant is kept from his inheritance and bringeth his writ, the inqueſt ſhall paſs as if he was at full age. INFANTS, 3.

13 *E.* 1. c. 15. *Weſtm.* 2. *Eng.* Where infants cannot ſue perſonally, their next friend ſhall be admitted to ſue for them. *ibid.* 4.

c. 40. *Weſtm.* 2. *Eng.* Where a perſon aliens the right of his wife, the ſuit of the woman, nor the heir after his death ſhall not be delayed. *ibid.* 5.

10 *C.* 1. ſeſſ. 2. c. 6. A ſaving for infants, &c. in this act for limitation of ſuits, provided they commence their actions in ſix years after the impediment removed. LIMITATIONS, 10, 11.

c. 12. After verdict in any court of record, judgment ſhall not be reverſed, *&c.* for default of form, *&c.* or for infancy in the plaintiff, *&c.* PLEADINGS, 16.

11 *A.* c. 2. The rights of infants, ſemes covert, *&c.* not to be prejudiced by this act for recovering demiſed premiſſes for nonpayment of rent. RENTS, 20.

c. 3. The guardian of an infant bound by covenant of his anceſtor to renew a leaſe for lives, *&c.* ſhall renew the ſame on failure of a life, *&c.* by order of chancery, *&c.* LIFE ESTATES, 5.

2 *G.* 1. c. 6. Guardians by direction of chancery may make conveyances for infants, as truſtees and mortgagees. INFANTS, 6, 7.

4 *G.* 1. c. 10. A ſaving to infants, ſemes covert, &c. on this act for limiting the time for reverſing fines or common recoveries. LIMITATIONS, 22.

8 *G.* 1. c. 6. The court to appoint guardians to an infant heir ſummoned on a *ſcir' fac'* where he prays that the parol may demur, and the proceedings ſhall be had thereon, as if at full age. INFANTS, 8.

21 *G.* 2. c. 11. Suits for avoiding recoveries in a year, from 25th of March 1752, in behalf of infants, to be commenced by fathers, guardians or other perſons. RECOVERIES, 11.

Infirmaries.

5 *G.* 3. c. 20. Corporations created for erecting publick infirmaries in every county. INFIRMARIES, 1.

Infirmaries.

Donors of a ſum not leſs than twenty guineas to be members of the body corporate. INFIRMARIES, 3.

Subſcribers of three guineas to be members for the year following. *ibid.* 4.

Corporation may purchaſe lands and take benefactions. *ibid.* 5.

Leaſes and grants of land, not exceeding two acres, for building infirmaries. *ibid.* 7.

Election of ſurgeons for the ſeveral infirmaries. *ib.* 9.

Salary out of the publick money not exceeding one hundred pounds. *ibid.* 12.

Preſentment annually of a ſum not exceeding one hundred pounds, nor leſs than fifty, for the uſe of each infirmary. *ibid.* 15.

Quarterly meeting of governors for the regulation of the infirmaries. *ibid.* 16.

Election and accounts of treaſurers. *ibid.* 17.

Patients muſt be recommended by a governor. *ibid.* 18.

Sudden accidents, requiring immediate relief, excepted. *ibid.* 19.

Patients to be admitted according to the priority of their recommendations. *ibid.* 20.

Inland Navigation.

2 *G.* 1. c. 11. Truſtees in this act may at their own charges make the river Shannon navigable, and other powers given them, *&c.* INLAND NAVIGATION, 1.

Commiſſioners to determine differences between undertakers and the proprietors of lands, *&c.* to be cut, *&c.* and the ſatisfaction for the ſame. *ibid.* 2.

Sheriffs by warrant from commiſſioners, *&c.* ſhall return a jury to aſſeſs damages for ſuch lands, and on payment of what ſhall be awarded, the undertakers may proceed, *&c.* *ibid.*

Decrees to be recorded in ſeſſions, and to bind all parties; no commiſſioner to act in his own caſe. *ibid.*

What duties ſaid commiſſioners are intitled to for all perſons and goods carried by water any where between Limerick and Carrickdrumruſk, and on refuſal of payment of ſuch duty, they may diſtrain, *&c.* *ibid.* 3, 4.

The commiſſioners and undertakers may make and alter by-laws with penalties for breach thereof for managing the navigation. *ibid.* 5.

The undertakers may adminiſter an oath to any maſter, *&c.* of any veſſel, *&c.* about the weight of goods. *ibid.* 6.

Barge-men or boat maſter anſwerable for damages done to wears or lands, *&c.* by his men. *ibid.* 7, 8.

This navigation not to be ſubject to commiſſioners of ſewers. *ibid.* 9.

Undertakers to raiſe banks where water overflows the adjacent lands through their means, and make bridges where they cut lands. *ibid.* 10.

Pleaſure-boats to be uſed without paying duty, and a free paſſage for all perſons paying the rates, and the general iſſue pleadable on executing this act. *ibid.* 11, 12, 13.

Contingent damages not hereby provided for to be aſcertained by a jury. *ibid.* 14.

A ſaving to proprietors of royalties, fiſhing and fowling,

Inland Navigation.

Inland Navigation.

and the ſalmon wear of Limerick called Parteen, not to be prejudiced without conſent of the owners. *ibid.* 15.

The ſaid commiſſioners, *&c.* are to appoint undertakers to carry on at their own charges the navigation of the rivers within their limits and herein after mentioned, and may grant them the toll, and are to enjoy the ſame to their own uſe with the like remedy, limitation and privileges, *&c.* as in the river Shannon. *ibid.* 16 to 19.

Undertakers failing to perform in 7 years, their intereſt and duties to ceaſe, and the commiſſioners may appoint others or enlarge ſaid term, but the perſon ſo failing to have the benefit of ſo much as he finiſhed, *&c.* *ibid.* 19.

The ſalmon wear of Colerain and Liſmore not to be prejudiced without the conſent of the owners, to be recorded with the clerks of the peace of the county of Londonderry and Waterford. *ibid.* 20.

Manure for land to be carried duty free, and ſtones, bricks, lime, *&c.* to pay half duty. *ibid.* 21.

3 *G.* 2. c. 3. Lord lieutenant or chief governors of this kingdom, the archbiſhop of Armagh, lord chancellor, archbiſhop of Dublin, archbiſhop of Caſhell, archbiſhop of Tuam, the ſpeaker of the houſe of commons, and ſeveral perſons herein after named, to the number of 20 for each province, are appointed commiſſioners. *ibid.* 22.

The ſaid commiſſioners may meet at any place or time that any eleven of them ſhall think fit, who may iſſue warrants to ſheriffs to impanel juries, and have all the powers granted to the undertakers, &c. of the river Shannon, by the 2d *G.* 1. c. 12. *ibid.* 23, 24.

Commiſſioners of the province, on the death of one to elect another by ballotting, and give notice thereof in the Dublin Gazette, and on their default the commiſſioners may elect for that province. *ibid.* 25.

The monies ariſing from the duties by this act, &c. ſhall be paid into the exchequer, in order to be applied for the improvement of tillage, draining bogs, &c. *ib.* 26.

The commiſſioners ſhall appoint collectors to receive the tolls, &c. upon boats, &c. and the money ariſing from ſuch tolls to be applied to the repairing locks, &c. *ibid.* 27.

Perſons ſued upon this act may plead the general iſſue; and if verdict paſs againſt the plaintiff by demurrer, the defendant ſhall recover coſts. *ibid.* 28.

The commiſſioners are to appoint a clerk, door-keepers, &c. with ſalaries not exceeding 70 l. *per ann.* &c. *ibid.* 29.

Books ſhall be kept to enter all monies received and expended, &c. *ibid.* 30.

23 *G.* 2. c. 5. The commiſſioners in Stat. 3 *G.* 2. c. 3. may exerciſe the ſame powers, *&c.* as if they were particularly enacted in this act, *&c.* *ibid.* 31.

25 *G.* 2. c. 10. Commiſſioners named in the 3d *G.* 2. c. 3. *&c.* for carrying on the inland navigation, made a body corporate; by what name and with what powers, and where and at what times to meet, and how to account. *ib.* 32 to 35.

The ſaid corporation may ſettle differences that may ariſe on account of lands uſed for the navigation. *ib.* 35.

The corporation ſhall appoint perſons to mark out in maps places for roads through lands, &c. not being a park, garden, *&c.* from any coal mine towards any navigable river, *&c.* *ibid.* 36.

Proprietors of coal mines, *&c.* near ſuch roads, may uſe ſuch road, on paying a reaſonable contribution to the perſons making ſuch road, *&c.* *ibid.* 37.

The corporation to apply the monies ariſing from the duties in the act 23 *G.* 2. for making rivers navigable, *&c.* *ibid.* 38.

All lands, *&c.* which are or ſhall be taken in, purchaſed, *&c.* and all bridges, *&c.* made by this act, ſhall be veſted in the corporation and their ſucceſſors for ever. *ibid.* 39.

Forfeiture of perſons damaging or deſtroying works for the uſe of the navigation. *ibid* 40.

Penalty on ſheriffs ſuffering perſons committed for ſuch offence to eſcape, how recoverable. *ibid.*

Collectors of tolls on navigable rivers impowered to ſeize and carry perſons committing ſuch offence before juſtices of the peace. *ibid.* 41.

Offenders to give ſecurity for their appearance at the next aſſiſes, *&c.* *ibid.*

Limitation of ſuit againſt ſheriffs for the eſcape of ſuch offenders. *ibid.*

Perſons ſued for executing this act, may plead the general iſſue, and give the ſpecial matter in evidence. *ibid.* 43.

On nonſuit of plaintiff, *&c.* defendant to have treble coſts. *ibid.*

Appeal lies to the quarter-ſeſſions from any judgment of juſtice of peace upon this act, *&c.* *ibid.* 44.

The judgment of any juſtice or the quarter-ſeſſions, not to be removed by *certiorari* or any other writ. *ibid.*

The corporation may appoint officers and ſalaries, for what ſum, and how long payable. *ibid.* 45.

27 *G.* 2. c. 3. Additional duties on beer, *&c.* paid to the corporation, and expended in making the Lagan navigable, and a paſſage between Lough-Neagh and Belfaſt. *ibid.* 46.

Diſputes with land-owners ſettled as by 25 *G.* 2. c. 10. with commiſſioners for a canal thro' Down, Armagh, and Tyrone. *ibid.* 48.

Lagan-water may be diverted from ſaid navigation to ſupply in dry ſeaſons bleach-yards now watered thereby. *ibid.* 49.

The corporation, or any 11, may under ſeal aſſign ſaid duties for money (not above 4000 l) borrowed for ſaid purpoſes. *ibid.* 50.

29 *G.* 2. c. 10. Said corporation at general meeting may under ſeal appoint, together with commiſſioners as by 25 *G.* 2. c. 10. other perſons to ſettle diſputes with proprietors, with like powers. *ibid.* 52.

The lands valued by a ſquare meaſure agreed on with proprietors; to be paid as by 2 *G.* 1. c. 12. on default of agreement, aſcertained by jury. *ibid.* 53.

If other grounds uſed, paid for immediately on finiſhing at ſame rate, deducting what not uſed or damaged. *ibid.* 55.

By-laws for toll may be made with penalties, and varied on occaſion, and, when ratified under ſeal, and publiſhed on each canal, payment inforced by the corporation, &c. as by former acts. *ibid.* 56.

Inland Navigation.

No higher toll than by 2 *G.* 1. c. 12. by undertakers for the Shannon. *ibid.* 57.

To be agreeable to law, and signed by lord chancellor and 3 chief judges, or any 2. *ibid.* 58.

3 *G.* 3. c. 11. Assistants may meet at any place in the county or city of Dublin. *ibid.* 59.

Seven of the corporation to be a *quorum*, as eleven by the former acts. *ibid.* 60.

Overseers may quarry and carry away materials necessary for works. *ibid.* 61.

Satisfaction to owners to be ascertained by a jury. *ibid.*

Gates or turnpikes may be erected and tolls appointed. *ibid.* 63.

Tolls, deducting the expences of collecting, how to be applied. *ibid.*

To be levied by distress, on refusal of payment. *ibid.*

Inquests and Inquisitions.

3 *E.* 1. c. 51. Inquests shall be taken in Advent, Septuagesima, and Lent. Holydays, *&c.* 1.

13 *E.* 1. c. 13. *Eng.* Sheriffs, *&c.* that take inquest of malefactors to do it by 12 lawful men who are to put their seals to the inquisition. County and turn, 4.

27 *E.* 1. Stat 2. c. 4. Inquests and recognizances determinable before justices shall be taken in vacation before any justice before whom plea is brought, *&c.* Nisi prius, 1.

33 *E.* 1. Stat. Ord. for Inquest. *Eng.* No inquests shall be taken for the King where the jurors be not indifferent. Juries, *&c.* 5.

2 *E.* 3. c. 16. *Eng.* All inquests in plea of land shall be taken at the request both of tenant and demandant. Nisi prius, 4.

28 *E.* 3. c. 13. *Eng.* In all inquests taken amongst aliens and denizens, *&c.* the one half shall be denizens and the other aliens. Trials, 3.

5 *H.* 4. c. 8. *Eng.* Feigned suits to put persons on inquest, *&c.* to be examined and tried by the discretion of judges, *&c.* Wager of law, 3.

11 *G.* 2. c. 6. All inquisitions, *&c.* shall be in the English language on pain of forfeiture of 20 l. Pleadings, 36.

Inrolments.

12 *El.* c. 2. All exemplifications of inrolments, *&c.* under the great seal of Ireland, &c. and subscribed by the lord chancellor, *&c.* shall be evidence in all courts, *&c.* Exemplifications, 1.

10 *C.* 1. sess. 2. c. 1. No lands, *&c.* to pass by bargain and sale unless made by writing, *&c.* Inrolments, 1.

Not to extend to lands in corporations. *ibid.* 2.

c. 10. Fines, *&c.* may be inrolled, and inrolment to be as valid as the fine, *&c.* being extant. Fines, 19.

17 & 18 *C.* 2. sess. 5. c. 2. All patents to be granted shall contain a clause for the inrolment in chancery. Inrolments, 3.

7 *W.* 3. sess. 1. c. 12. No recognizance shall bind a purchaser, *bona fide*, but from the inrolment. Recognizances, 12.

2 *A.* sess. 1. c. 6. All the incumbrance, that charged the estate of a papist before February 1703, were to be inrolled in the Exchequer before June 1704, and after that time to be inrolled there in six months, *&c.* Papists, 54.

21 *G.* 2. c 2. When deeds for making tenant to the *præcipe* must be inrolled in the common pleas to make them evidence of a recovery. Recoveries, 15.

Insurance.

6 *G.* 1. c. 18. *Brit.* Two corporations for assurance of ships, *&c.* to be elected by charter, who have power to make by-laws, and lend money on bottomry, *&c.* and all other corporations restrained on penalty, *&c.* Insurance, 1, 2, 3.

11 *G.* 2. c. 9. Persons sinking, *&c.* ships wilfully to defraud those who have executed insurance thereon to suffer without benefit of clergy. Ships, 47.

19 *G.* 2. c. 37. *Eng.* In what manner assurances shall be on men of war, and on merchant ships. Insurance, 4.

Assurance on private ships of war may be made by the owners, *&c.* Merchandises from any parts in America in possession of Spain or Portugal may be assured, &c. *ibid.* 5, 6.

Re-assurance shall not be made unless the assurer be insolvent, &c. *ibid.* 7.

In what manner money is to be lent upon bottomry on ships trading to the East Indies. *ibid.* 8.

Proceedings upon actions upon policies of insurance. *ibid.* 9.

On debt or covenant, *&c.* on policy of insurance, if plaintiff refuse to receive the money and costs deposited, and damages are not assessed beyond the sum deposited, he shall pay taxed costs to the defendant. *ibid.* 10.

Interest of Money. See Usury.

Intestate. See Administrator.

Intrusion.

15 *C.* 1. c. 1. Where the King, *&c.* has been out of possession, *&c.* 20 years before any information of intrusion brought, *&c.* defendant may retain the possession till the title is tried. Pleadings, 20.

Inventory.

28 *H.* 8. c. 18. Executors, *&c.* to make a true inventory, *&c.* of all the wares, &c. and ordinary to receive the same on pain of 10 l. Probate of wills, 9, 13.

All cattle, *&c.* to be rated as the price is in the diocese of Meath. *ibid.* 9.

Lands, *&c.* devised to be sold, *&c.* shall not be deemed part of the goods, *&c.* of the deceased. *ibid.* 10.

7 *W.* 3. sess. 1. c. 6. All ordinaries, *&c.* to take bonds with two or more sureties, to make a perfect inventory, *&c.* Administrators, 6.

No administrator shall be cited into any ecclesiastical court to render an account otherwise than by inventory, unless at the instance of a creditor, *&c.* *ibid.* 13.

Joint Tenants.

33 *H.* 8. seſſ. 1. c. 10. Jointenants are compellable to make partition by writ, *&c.* but may have aid after to deraign the warranty peramount, and recover *pro rata*, and tenants in common, *&c.* ſhall make like partition. PARTITION, *&c.* 1, 2, 3.

Jointure.

11 *H.* 7. c. 20. *Eng.* Any woman having any eſtate in dower, *&c.* jointly with her huſband, *&c.* of any lands, *&c.* the purchaſe, *&c.* of her huſband, *&c.* being ſole, *&c.* aliening, *&c.* the ſame void, *&c.* JOINTURE, 1.

This act not to extend to any recovery, *&c.* to be had with the heirs next inheritable to the ſaid woman, *&c. ibid.*

10 *C.* 1. ſeſſ 2 c. 1. A jointure made to a woman married by way of uſe, ſhall be a bar of dower unleſs evicted, *&c* JOINTURE, 2, 3.

Where a jointure is made after marriage by way of uſe, the wife may refuſe the ſame, and demand dower, *&c. ibid.* 4.

6 *A.* c. 16. Any woman inticing the ſon and heir apparent of any perſon having lands, *&c.* of 50 l. *per ann.* &c. to contract matrimony without conſent, *&c.* ſhall be barred of dower, jointure, &c. MARRIAGES, 13.

8 *A.* c. 8. The court of chancery may carry the power of a papiſt reſerved to make a jointure into execution, if the widow became a proteſtant. PAPISTS, 84, 85.

Ireland.

17 *E.* 1. c. 7. No writ pleadable at common law to iſſue but under the great ſeal of Ireland. *ibid.* 5.

Ordin. pro. Stat. terr. Hibern. inc. temp. c. 6. The extent and limits of the powers of the juſtices of Ireland. IRELAND, 11 to 21.

1 *H.* 5. c. 8. *Eng.* All Iriſh who have benefices, *&c.* in Ireland, ſhall abide on them on pain of loſing the profits. *ibid.* 24.

37 *H.* 7. c. 17. *Eng.* The king as ſupreme head of the church of Ireland, may appoint perſons to exerciſe eccleſiaſtical juriſdiction, *&c.* ECCLESIASTICAL PERSONS, &c. 15.

33 *H.* 8. Seſſ. 1. c. 1. The king, *&c.* to have the name and title, *&c.* of King of Ireland, as united to the crown of England. KING, &c. 2.

1 *A.* c. 17. *Eng.* All perſons holding offices civil or military, *&c.* in Ireland, ſhall take the oaths, *&c.* OATHS, 8, 13.

1 *G.* 1. c. 13. ſect. 32. *Brit.* The oath of abjuration appointed to be taken in Great Britain, ſhall be taken in Ireland. OATHS, 22.

6 *G.* 1. c. 5. *Brit.* The kingdom of Ireland hath been and ſhall be ſubordinate to the crown of Great Britain, and Britiſh parliament may make laws to bind Ireland. IRELAND, 27.

Houſe of lords of Ireland have no juriſdiction to reverſe, *&c.* judgments, *&c.* made in Ireland. *ibid.* 28.

Iron.

7 *W.* 3. c. 10. *Eng.* Iriſh bar or rod-iron may be imported duty free. IRON.

2 *A.* c. 2. Five ſhillings cuſtom and 5s. exciſe *per* tun duty laid on iron, *&c.* CUSTOMS, 158.

4 *A.* c. 12. No mines of iron, *&c.* though ſilver may be extracted ſhall be deemed royal mines, and ſubjects may enjoy the ſame, paying the queen 40s. *per* tun of iron. MINES, 1, 2, 3.

1 *G.* 2. c. 24. Servants of tradeſmen, *&c.* or dealers in iron imbezelling any goods, tools, *&c.* of their maſters above 5s. value ſhall be whipt. *ibid.* 18.

5 *G.* 2. c. 10. To ſteal or rip, cut or break, *&c.* any iron bar, *&c.* with intent to ſteal the ſame, is felony of tranſportation, *&c.* FELONY, &c. 59.

Judgments.

4 *H.* 4. c. 23. *Eng.* Judgments ſhall continue, *&c.* till they are attaint of error. JUDGMENTS, 2.

7 *W.* 3. Seſſ. 1. c. 12. Judges, *&c.* ſigning judgments to ſet down the day of the month, *&c.* and ſuch judgment to be valid againſt purchaſers only from the time of ſigning, *&c. ibid.* 3.

6 *G.* 1. c. 6. No ſatisfaction of any judgment ſhall be entered of record by attorney, except he prove his warrant by affidavit of one witneſs. *ibid.* 4.

8 *G.* 1. c. 4. In judgments, *&c.* due 20 years, if no action hath been commenced, nor no intereſt, *&c.* paid, the defendant may plead payment in bar. LIMITATIONS, 23.

——c. 6. The prothonotaries, *&c.* to give certificates, when deſired, of ſuch judgments, and ſuch as are or are not entered ſince the 9th of May, 1746, againſt the perſons then ſearched for only, *&c.* and penalty on refuſal, *&c.* JUDGMENTS, 5.

3 *G.* 2. c. 7. Day, *&c.* when judgments are brought into the office to be marked on the docket, *&c.* and ſhall be judgments as againſt creditors. *&c.* from the time of lodging them in the office only. *ibid.* 6, 7.

——Officers to make out an alphabetical docket of all judgments acknowledged, *&c.* and of all rules for judgments before the ſucceeding term, *&c. ibid.* 8.

9 *G.* 2. c. 5. Conuſee of judgment, *&c.* his executors, *&c.* aſſigning ſame, ſhall perfect a memorial of ſuch aſſignment, and in what form, *&c. ibid.* 10.

——Memorial, in what manner and where to be entered, and by whom. *ibid.*

——Officer to enter the number and roll where ſuch aſſignment is regiſtered at the foot of each judgment aſſigned. *ibid.*

——What fees to be paid for entering, *&c.* the ſame. *ibid.*

——After ſuch memorial of ſuch aſſignment ſhall be entered, *&c.* who may revive ſuch judgments, *&c.* and diſcharge the ſame, *&c. ibid.* 11.

——Conuſor of ſuch judgment, *&c.* may upon payment of ſuch aſſignee, plead payment ſpecially to ſuch aſſignee. *ibid.*

——Aſſignee his executors, *&c.* may from time to time aſſign ſuch judgment, *&c.* and ſuch aſſignment ſhall be regiſtred as aforeſaid. *ibid.*

——Such aſſignee may reviſe, *&c.* in his own name, *&c. ibid.*

——Conuſor of ſuch judgment, *&c.* ſhall have the ſame remedy, *&c.* againſt the aſſignee, *&c.* as he might have had

Judgments.

had againſt the conuſee, &c. in caſe no ſuch aſſignment, &c. had been made. *ibid.* 12.

——Aſſignee of any judgment, &c. already aſſigned his executors, &c. may perfect ſuch memorial as aforeſaid, and revive and ſue out execution, &c. as aforeſaid. *ibid.* 13.

25 *G.* 2. c. 14. Aſſignee of judgments, &c. may revive and take out execution, and bring actions of debt, or proceed in their own names, and be conſidered in law and equity in the place of the aſſignors. *ibid.* 14.

Jugglers.

10 & 11 *C.* 1. Seſſ. 4. c. 4. Jugglers, &c. refuſing to work, to be deemed rogues, &c. VAGRANTS, 23.

Jure Patronatus.

10 *C.* 1. Seſſ. 2. c. 6. This act of limitations not to extend to *Jure Patronatus*, &c. LIMITATIONS, 15.

Juris Utrum.

3 *E.* 1. c. 42. *Eng.* In *Juris utrum*, after appearance, the tenant not to be eſſoigned. ESSOIGNS, 3.

14 *E.* 3. c. 17. *Eng.* Parſons, &c. ſhall have their writs of *juris utrum* for lands, &c. annexed to their livings. JURIS UTRUM.

Juries and Jurors.

32 *H.* 3. c. 14. Stat. *Marl. Eng.* Jurors, &c. impanelled on inqueſts obliged to ſwear, &c. JURIES, &c. 1.

13 *E.* 1. *c.* 38. *Eng. Weſt.* 2 No more than 24 jurors to be ſummoned in one aſſiſe, &c. inqueſt to be taken by a jury of 12 lawful men. *ibid.* 2.

21 *E.* 1. Stat. *de iis qui ponend. Eng.* None to be impanelled unleſs he has 40s. *per ann.* lands out of his proper county: not to extend to juries in corporations. *ibid.* 3.

28 *E.* 1. c. 9. *Artic. ſuper. chart. Eng.* Jurors impanelled muſt be *de vicinet'*, and ſufficient, and in default penalty on the officer. *ibid.* 4.

33 *E.* 1. Stat. 4. Stat *Ordin. for inqueſts.* Inqueſts wherein the king is a party, if it be alledged that ſome of the jurors, &c. be not indifferent for the king how to be taken. *ibid.* 5.

25 *E.* 3. Stat. 5. c. 3. *Eng.* Indictors not to be put on inqueſts of deliverances of indictees of felony, &c. *ibid.* 7.

34 *E.* 3. c. 4. *Eng.* Penalty on ſheriffs, &c. making panels of ſuſpected jurors. *ibid.* 8.

34 *E.* 3. c. 8. *Eng.* Jurors accuſed, &c. of bribery, to be tried *inſtanter*, &c. *ibid.* 9.

38 *E.* 3. c. 12. *Eng.* Penalty, &c. on juror taking any thing, &c. to give his verdict. *ibid.* 10.

42 *E.* 3. c. 11. *Eng.* Penalty on ſheriff not arraying the panels in aſſiſe 4 days before the ſeſſions, &c. *ibid.* 11.

11 *H.* 4. c. 9. *Eng.* No indictments to be made but by inqueſts of lawful people returned by the ſheriff. *ibid.* 12.

2 *H.* 5. Stat. 2. c. 3. *Eng.* None to be on an inqueſt on trial of the death of a man or in any plea, &c. where the

Juries and Jurors.

debt amounts to 40 marks, who has not lands of 40s. *per ann* beyond repriſals, &c. *ibid.* 13.

8 *E.* 4. c. 3. *Eng.* All jurors impanelled to be demanded every fourth day, and their appearance recorded. *ibid.* 14.

1 *R.* 3. *c.* 4. *Eng.* Penalty on officers returning jurors at the ſheriffs turn not having 20s. *per ann.* freehold, &c. *ibid.* 15.

7 *H.* 6. c. 1. Additions, &c. of jurors impanelled on inqueſts to be inſerted in the grand panel, and penalty on ſheriff for neglect. *ibid.* 16.

32 *H.* 6. c. 2. The coroner to diſcharge the jurors on inqueſt before him if they affirm they know not the felon, &c. *ibid.* 17.

33 *H.* 8. Seſſ. 1. c. 4. What degrees of conſanguinity, &c. may be cauſe of objection to a juror. *ibid.* 18.

10 *C.* 1. Seſſ. 2. c. 13. In this ſtatute is the form of the writ of *venir. fac.* and the clauſe of *quorum quilibet habeat*, &c. ſhall be inſerted where neceſſary that the juror ſhall have 40s *per ann.* &c. *ibid.* 19.

Penalty on ſheriff on a *niſi prius* not returning iſſues on the firſt *diſtringas* 10s. &c. till they appear. *ibid.* 20.

Where a full jury appear not before juſtices of aſſiſe, &c. ſheriff, &c. in all actions to return a tales, and court may fine perſons preſent and not appearing. *ibid.* 21 to 24.

A juror may be eſſoigned on reaſonable excuſe if the juſtices come not at the day, &c. *ibid.* 25 to 27.

Penalty on ſheriffs, &c. returning iſſues upon jurors not ſummoned, not to extend to ſheriffs of corporations making returns. *ibid.* 27, 28.

6 *A. c.* 6. Papiſts not to be jurors but where a ſufficient number of proteſtants cannot be found. *ibid.* 29.

29 *G.* 2. *c.* 6. Qualification of jurors (other than ſtrangers, *per medietatem linguæ*) for the trial of iſſues, between party and party. *ibid.* 30.

Want of qualification, a good cauſe of challenge. *ibid.*

Form of the writ of *venire facias*. *ibid.*

No reward to be taken for excuſing any perſon from ſerving or being ſummoned. *ibid.* 31.

None to be ſummoned, but the perſons named in the the ſheriff's mandate. *ibid.*

Fine for offences not leſs than 20*l.* *ibid.*

Names, additions, &c. of jurors to be annexed to the writ of *venire facias*. *ibid.* 32.

Number of jurors not to be leſs than 36 or more than 60. without a ſpecial order. *ibid.*

Directions for the writ of *habeas corpus* or *diſtringas*. *ibid.*

Fees for the returns and panels as formerly. *ibid.*

Names of jurors, rolled up, to be put in a box or glaſs. *ibid.* 43.

Twelve perſons whoſe names are firſt drawn, allowing challenges, to be ſworn. *ibid.*

After verdict or diſcharge, the names to be returned to the box or glaſs. *ibid.*

Twelve names of the reſidue to be drawn for other trials, before the former are diſcharged. *ibid.* 34.

Fine on perſons ſummoned and not appearing. *ibid.* 35.

Juries and Jurors.

Six of the perſons returned, who have had the view, to be firſt ſworn. *ibid.* 36.

Juries returned by coroners to be ballotted as other jurors. *ibid.* 37.

Tales may be returned in caſe of non-appearance of jurors. *ibid.* 38.

New writs of *venire* or *diſtringas*, with a *niſi prius*, to be granted. *ibid.* 39.

Plaintiffs may proceed to trial as if no former writs had iſſued. *ibid.*

Defendants may bring cauſes to trial by *proviſoe* and iſſue writs, &c. *ibid.* 40.

Challenges to papiſts returned on juries to be allowed as before this act. *ibid.* 41.

Trials on appeals of murder or felony, ſhall be as at common law. *ibid.* 43.

1 *G.* 3. *c.* 17. Trials for tolls or cuſtoms to be by a jury of an indifferent county. *ibid.* 45.

Juſtices of Aſſiſe.

3 *E.* 2. c. 5. Certain juſtices to be aſſigned in all the counties of Ireland, to take the aſſiſes of Mortdanceſtor, *&c.* Justices of Assise, 3.

6 *R.* 2. c. 5. *Eng.* } 11 *R.* 2. c. 11. *Eng.* } Juſtices of aſſiſe, *&c.* to hold their ſeſſions in chief towns, *&c.* but lord chancellor may alter aſſiſe towns. *ibid.* 8, 10.

8 *R.* 2. c. 2 *Eng.* None to be juſtices of aſſiſe, *&c.* in his own county. *ibid.* 9.

20 *R.* 2. *c.* 3. *Eng.* No lord, *&c.* ſhall ſit upon the bench with the juſtices of aſſiſe on pain, *&c.* *ibid.* 11.

3 *G.* 2. c. 9. Priſoners continued in gaol for their fees, and not being able to pay them, may be diſcharged by the judges of aſſiſe, &c. *ibid.* 12.

Juſtices of both Benches.

18 *E.* 3. Stat. 4. The oath of juſtices. The oath required of juſtices. Justices of both Benches, 3.

20 *E.* 3. c. 1. *Eng.* Juſtices to do equal right to all perſons. *ibid.* 4.

——c. 2. Barons of the exchequer to do equal right, *&c.* *ibid.* 5.

Juſtices of Gaol Delivery.

27 *E.* 1. c. 3. Stat. *de finibus. Eng.* Juſtices preſently after aſſiſes to deliver gaols, *&c.* Justices of Gaol, *&c.* 1.

Juſtices of Peace.

1 *E.* 3. Stat. 2. c. 16. *Eng.* Juſtices of peace aſſigned to be lawful men. Justices of Peace, 1.

2 *H.* 5. Stat. 1. c. 4. *Eng.* Juſtices of the *quorum* ſhall be the moſt ſufficient men, and ſhall be reſident in the county, except lords, *&c.* and the ſeſſions to be kept 4 times in the year, *&c.* *ibid.* 2.

11 *H.* 6. *c.* 6. *Eng.* No ſuit before the juſtices ſhall be diſcontinued by a new commiſſion of the peace, *ibid.* 4.

18 *H.* 6. *c.* 11. *Eng.* Penalty on juſtices of peace acting, except in corporations, *&c.* not having 20*l.* *per ann.* in lands. *ibid.* 5.

Juſtices of Peace.

1 *R.* 3. c. 3. *Eng.* Juſtices of peace have power in their ſeſſions to inquire of eſcapes of felons. *ibid.* 9.

3 *H.* 7. c. 1. *Eng.* Juſtices of peace may take inqueſts at diſcretion, *&c.* on indictments. Murder, 3.

Juſtices of the peace to certifie recognizance of the peace to the next general ſeſſions. Justices of Peace 10.

4 *H.* 7. c. 12. *Eng.* Juſtices of peace guilty of negligence in the proclamation required by this act to be put out of the commiſſion, *&c.* and where they can give no remedy they are to deliver complaints to the juſtices of aſſiſe. *ibid.* 11.

10 *C.* 1. Seſſ. 2. *c.* 16. Juſtices of peace, *&c.* may plead the general iſſue in all actions of treſpaſs, *&c.* brought for any thing done by virtue of their office. Pleadings, 19.

3 *G.* 2. c. 16. Fees of juſtice of peace for warrants, recognizance, *&c.* and penalty on them or their clerks receiving more, and this to be read yearly, and when and where Justices of Peace, 13, 14, 15.

7 *G.* 2 c. 6. None converted from the popiſh religion ſhall be a juſtice of peace whoſe wife is a papiſt, *&c.* *ibid.* 16.

1 *G.* 3. c. 11. Juſtices acting under charters of cities, *&c.* guilty of offences as a juſtice diſabled to act. *ibid.* 17.

Kelp.

3 *G.* 3. c. 34. Penalty of mixing ſand or ſtones with kelp. Kelp, 1.

King, Queen, &c.

28 *H.* 8. c. 5. The King, *&c.* declared ſupreme head in earth of the church of Ireland, *&c.* King, &c. 1.

33 *H.* 8. c. 1. *Eng.* All kings of England ſhall be deemed kings of Ireland, and ſhall enjoy all privileges, *&c.* *ibid.* 2.

The king, *&c.* to have the name and title, *&c.* of king of Ireland, *&c.* *ibid.* 2.

High treaſon to impeach ſuch title. Treason.

2 *E.* c. 1. No foreign prince, *&c.* ſhall exerciſe any power within the king's dominions; all eccleſiaſtical juriſdictions, *&c.* ſhall be annexed to the crown, and all eccleſiaſtical and temporal officers ſhall take the oaths, *&c.* King, 4 5.

13 *C.* 2. c. 1 The realms of England, Scotland, and Ireland do of right appertain to the crown. *ibid.* 6.

1 *W.* & *M.* Stat. 1. c 6. *Eng.* This act contains the oath to be adminiſtered at the coronation, which oath is likewiſe to be adminiſtered to every king and queen, who ſhall ſucceed to the imperial crown of this realm, *&c* *ibid.* 7, 8.

——Stat. 2. c. 2. *Eng.* None of the communion of the church of Rome, or marrying a papiſt, ſhall inherit the crown, but it ſhall go to the next proteſtant heir. The king, *&c.* ſhall on the firſt day of the meeting of the parliament take the coronation oath, and if ſuch king, *&c.*

be

King, Queen, &c.

be under twelve years of age, he ſhall take the ſaid oath as ſoon as he attains the age of twelve years. *ibid.* 9, 10.

12 *W.* 3. c. 2. *Eng.* The right of ſucceſſion in the proteſtant line is declared to be in the princeſs Sophia, electreſs and dutcheſs dowager of Hanover and her iſſue. *ibid.* 12.

Perſons inheriting the crown who ſhall hold communion with the church of Rome ſhall be ſubjected to the incapacities enacted by 1 *W.* & *M.* c. 2. &c. *ibid.* 13.

1 *A.* c. 8. *Eng.* Grants of any office, &c. ſhall not determine on the death of the queen, &c. nor any writ, proceſs, &c. be diſcontinued by reaſon of their deaths; nor any commiſſions of aſſiſe, &c. be determined, but ſhall continue ſix months, &c. *ibid.* 14, 15, 16.

The proviſions in this act to extend to Ireland, Jerſey, Guernſey, and to the queen's dominions in America, &c. *ibid.* 17.

2 *A.* c. 5. Perſons endeavouring to hinder the next lawful ſucceſſor to the crown, &c. ſhall be adjudged traitors; and any ſubject in parts beyond the ſeas offending againſt this act, ſhall be tried by commiſſion in any county, &c. the queen ſhall appoint. *ibid.* 18, 19.

4 *A.* c. 4. *Eng.* The dutcheſs dowager of Hanover, &c. ſhall be deemed natural born ſubjects. *ibid.* 20.

Perſons naturalized becoming papiſts ſhall not be deemed natural born ſubjects. *ibid.* 21.

6 *A.* c. 7. *Brit.* Privy council ſhall not be diſſolved at the death of the queen, &c. the great ſeal, &c. ſhall be uſed as the ſeals of the ſucceſſor, unleſs ordered to the contrary. *ibid.* 22, 23.

2 G. 1. c. 4. The pretender and his adherents ſhall ſtand convicted of high treaſon, as well as thoſe who remit money, &c. to him. The ſum of 50,000l. ſterling ſhall be paid to any perſon ſeizing the body of the pretender whenever he attemps landing, &c. and if ſuch perſon is killed in the attempt, the reward ſhall go to his heirs, &c. *ibid* 24 to 27.

Offences committed againſt this act out of the king's dominions may be tried in any county of Ireland. *ibid.* 28.

19 G. 2. c. 1. Subjects of Ireland holding correſpondence with the pretender's eldeſt ſon, &c. ſhall be deemed guilty of treaſon. *ibid.* 29.

If the ſon, &c. of the pretender ſhall be found in Ireland, &c. he ſhall be adjudged attainted of treaſon, &c. *ibid.* 30.

The ſum of 50,000l. ſhall be paid to any perſons ſeizing the ſons of the pretender; and in caſe ſuch perſons be killed in the attempt, the ſaid ſum ſhall go to their heirs, &c. *ibid.* 32, 33.

King's Bench.

4 *A.* c. 6. Preſentments in the king's bench not to be confirmed till the 6th day of the next following term, &c. PRESENTMENTS, 6.

3 G. 2. c. 15. The king's bench and the area thereto belonging, is enacted to be both in the city and county of Dublin, for trial of criminals in vacation, &c. OYER, &c. 2.

King's Council.

14 & 15 C. 2. Seſſ. 4. c. 9. King's council to have ſuch quantity of wines duty free, as the lord lieutenant ſhall think fit. WINES, 12.

8 G. 1. c. 6. Writs of aſſiſe and *niſi prius*, may be executed, &c. by all the king's council, &c. who may be commiſſioners. NISI PRIUS, 9.

Labourers.

33 *H.* 8. Seſſ. 1. c. 9. Juſtices of peace in ſeſſions yearly, at Eaſter and Michaelmas to aſcertain what wages, &c. labourers, &c. are to have, &c. LABOURERS.

Lamps.

5 G. 3. c. 15. Pariſhes in cities, &c. to determine in their veſtries as to the ſize, number, &c. of lamps. LAMPS, 1.

Occupiers of houſes rated for miniſters-money to be charged proportionably. *ibid.* 3.

Four perſons to be appointed to value houſes not rated. *ibid.* 5.

Money charged to be collected by diſtreſs and ſale of goods. *ibid.* 6.

Collectors to be appointed and paid by the veſtries *ibid.* 7.

Penalty on miniſters or curate neglecting to call and hold veſtries. *ibid.* 8.

Lapſe.

17 *E.* 2. c. 8. *Eng.* Lapſe of ſix months ſhall not prejudice the king's preſentation to a church. ADVOWSONS, 6.

25 *E.* 3. c. 7. *Eng.* The ordinary may counterplead the the king's title to a benefice fallen by lapſe. *ibid.* 8.

17 & 18 *C.* 2. Seſſ. 5. c. 6. No title ſhall accrue to preſent by lapſe on deprivation, &c. SERVICE AND SACRAMENTS, 58.

1 G. 2. c. 18. A lapſe on the avoidance, &c. to be as in other caſes with like remedy. AUGMENTATION OF BENEFICES, 45.

Larceny.

9 *W.* 3. Seſſ. 1. c. 32. Taking away with intent to ſteal the furniture of lodging let to the party, is larceny and felony. CLERGY, 15.

6 G. 1. c. 12. Where perſons are convicted of grand or petit larceny, &c. for which clergy is allowed, the judge inſtead of burning in the hand may tranſport them for ſeven years, &c. FELONY, &c. 31.

Lawyers.

3 *H.* 8. Seſſ. 2. c. 3. None to be admitted a barriſter that that is not years at leaſt reſident in one of the inns of court in England. PLEADINGS, 9.

1 G. 2. c. 20. Perſons applying to be called to the bar, &c. ſhall, before application or practice, take the oaths, &c. PAPISTS, 109.

Lead.

4 *A.* c. 12. No mines of lead, *&c.* though ſilver may be extracted ſhall be deemed royal mines, *&c.* MINES, 1.

5 *G.* 2. c. 10. Stealing, ripping, cutting, or breaking with intent to ſteal any lead, *&c.* is felony. FELONY, 59.

Leaſes.

10 *C.* 1. Seſſ. 3. c. 6. Leaſes under ſeal, *&c.* made by perſons of full age ſeized in fee ſimple, *&c.* in their own right or in right of their wives, or jointly with their wives ſhall be good againſt the leſſors, *&c.* LEASES, 1.

This act not to extend to leaſes in reverſion unleſs the old leaſe be expired, *&c.* within one year from the making the new leaſe, &c. *ibid.* 2.

The wife to be a party to any leaſe made of her own lands by the huſband, *&c.* *ibid.* 3.

No other act of the husband of the wife's lands unleſs ſhe join in a fine ſhall be a diſcontinuance. *ibid.* 4.

The wife, *&c.* ſhall not avoid a leaſe made of her lands by her and the huſband for 41 years, *&c.* if the improved rent be reſerved. *ibid.* 5.

10 & 11 *C.* 1. ſeſſ. 4. c. 2. All leaſes, &c. by any parſon, *&c.* made, *&c.* of a benefice with cure to be good only during reſidence without abſence for 80 days in one year, *&c.* and all incumbrances made to affect ſuch glebe ſhall be void after incumbency. *ibid.* 6, 7.

Vicars, *&c.* may demiſe glebes of a new endowment of the Kings for 21 years. *ibid.* 8.

c. 3. Biſhops, *&c.* may make leaſes for 21 years, not in reverſion for more than one year of the church lands, *&c.* and all other leaſes, incumbrances, *&c.* void. *ibid.* 9, 10.

Biſhops, *&c.* by licence of the chief governors of the kingdom, may make leaſes for a longer term than 21 years, of their lands, neceſſary for building fortreſſes, *&c.* and upon ſurrender of fee farm grants, *&c.* may make leaſes renew for ſixty years with conſent of the chief governors, *&c.* *ibid.* 11, 12.

Biſhops, *&c.* may make leaſes for forty years of houſes, *&c.* belonging to their livings, ſituate in any city, *&c.* ſo that the ſame do not belong to their manſion, *&c.* *ib.* 13.

All rents reſerved by ſuch leaſes, to be payable to the leſſors, and their ſucceſſors. *ibid.* 14.

This act not to reſtrain the archbiſhop of Armagh from making leaſes for the terms granted to him by patent. *ibid.* 15.

17 & 18 *C.* 2. c. 2. All grants, conveyances, *&c.* made by any archbiſhop or biſhop, *&c.* of any lands, for a longer term than 21 years, or three lives void. *ibid.* 16.

7 *W.* 3. ſeſſ. 1. c. 12. No leaſes, *&c.* to be aſſigned, *&c.* without writing, *&c.* FRAUDS, 19.

All leaſes, except for three years, whereon two thirds of the rent is reſerved, &c. ſhall have the force of leaſes at will only. *ibid.*

10 *W.* 3. ſeſſ. 3. c. 6. Leaſe of manſion, glebe, &c. by vicars, &c. longer than one year, made void. GLEBES, 7.

8 *A.* c. 3. All collateral ſecurities or mortgages to make good any leaſe to a papiſt contrary to this act, ſhall be void as to ſuch papiſt, &c. PAPISTS, 71.

11 *A.* c. 2. On payment or tender of the rent, *&c.* before trial the ejectment to ceaſe, and if the leſſee after judgment be relieved in equity, he may enjoy without a new leaſe. RENTS, 6.

Aſſignees of all the reſidue of a term for lives or years, ſhall be ſubject to all covenants in the leaſe. *ibid.* 7.

c. 3. The guardian of an infant by covenant of his anceſtor, bound to renew a leaſe for lives, ſhall, on failure of any life, *&c.* renew the ſame. LIFE ESTATES, 5, 6.

6 *G.* 1. c. 14. No leaſe of tithes belonging to any deanery having more than one pariſh, and no vicarage endowed, made by any dean, *&c.* ſhall exceed his incumbency, but not to extend to a leaſe by a dean having cure of ſouls before the 1ſt of July, 1719. *ibid.* 19, 20, 21.

12 *G.* 1. c. 10. Biſhops having 300 acres demeſne, may leaſe bogs, *&c.* by conſent for 60 years without fine, *&c.* reſerving a turbary. *ibid.* 22, 23.

Renewals to be 21 years and three fourths value, to be reſerved, *&c.* and biſhops, &c. may by conſent make leaſes of bogs, &c. for 60 years. *ibid.* 24, 25, 26.

After expiration of ſuch leaſes no renewals to be made but as directed by 10 & 11 *C.* 1. c. 3. *ibid.* 27.

1 *G.* 2. c. 15. Rectors in cities, &c. by conſent of the patron, may demiſe houſes, &c. for 61 years, without fine at improved rent, &c. *ibid.* 28.

Incumbent may renew ſuch leaſe for 40 years, ſo that the former rent be not leſſened, *&c.* and ſuch renewal to be regiſtered. *ibid.* 29, 30.

5 *G.* 2. c. 4. Where it appears to the court that no counterpart of a leaſe was perfected, *&c.* the original leaſe may be given in evidence, on trial of an ejectment for non payment of rent. RENTS, 33.

Leaſes may be renewed without a ſurrender of under leaſes. *ibid.* 34.

9 *G.* 2. c. 5. In all caſes the recital of a leaſe for a year in the deed of releaſe, ſhall be evidence of ſuch leaſe. LEASES, 31.

11 *G.* 2. c. 15. Counterparts eaſes perfected, in purſuance of the act of the 10 and 11 *C.* 1. c. 3. to be regiſtered, and ſo much of that act as relates to a commiſſion, is repealed, *&c.* *ibid.* 32, 33.

13 *G.* 2. c. 9. Dean and chapter of Chriſt-church, may grant a leaſe of ſuch part of their poſſeſſions as ſhall be neceſſary for enlarging the four courts. *ibid.* 34.

15 *G.* 2. c. 5. Archbiſhop may after aſcertaining a quantity of glebe for a biſhop of his ſee, ſet ſuch remaining part of his livings as ſhall be adjacent to cities, &c. for forty years, at a full improved rent. *ibid.* 35, 36, 37.

c. 8. Tenants giving notice to landlords that they will ſurrender their leaſe purſuant to covenant, and not ſurrendering purſuant to ſuch notice, to pay double rent after. RENTS, 43.

19 *G.* 2. c. 16. What quantity of demeſne lands, and upon what terms, glebes may be demiſed by archbiſhops, *&c.* and for what term of years. LEASES, 38, 39.

24 *G.* 2. c. 23. *Brit.* Commencement or expiration of leaſes not to be accelerated by this act for correcting the calendar. CALENDAR, 6.

Leaſe and Releaſe.

9 *G.* 2. c. 5. In all caſes the recital of a leaſe for a year in

Lease and release.

in the deed of releaſe, ſhall be evidence of ſuch leaſe. LEASES, 31.

1 *G.* 3. c. 3. The act 9 *G.* 2. c. 6. is made perpetual. *ibid.* 2.

It ſhall be ſufficient to alledge the bringing into court the deed of releaſe. *ibid.* 3.

Leather.

3 *G.* 3. c. 33. Tanners to trim their hides before they are put into the tan-pit. LEATHER, 1.

Tanned hides to be branded on the collet of each hide, and if a bull's hide, with the word bull. *ibid.* 2.

Hides for exportation to be weighed and ſold at a publick crane. *ibid.* 3.

Hides to be well tanned and dried; manner of determining diſputes. *ibid.* 4, 5.

Forfeiture for ſelling hides not ſufficiently tanned and dried. *ibid.* 6.

Penalty on merchants exporting hides not ſtamped as directed. *ibid.* 7.

Penalty for not removing hides from the crane in forty eight hours after ſale. *ibid.* 8.

Craners buying tanned or curried leather, the penalty. *ibid.* 9.

Regulations for currying leather with good oil, &c. *ibid.* 10.

Dreſſing merchants ſkins, except for coach or harneſs makers. *ibid.* 11.

Calve-ſkins to be dreſt merchantably, and marked or ſtamped. *ibid.* 12.

Liberties and rights.

9 *H.* 3. c. 9. Mag. Charta. *Eng.* The city of London and all other cities, &c. ſhall have all their liberties and free cuſtoms. LIBERTIES, &c. 1.

c. 29. No freeman ſhall be impriſoned or diſſeiſed of his freehold, or of his liberties, &c. but by the law of the land. *ibid.* 2.

52 *H.* 3. c. 22. Stat. Marlb. *Eng.* None may diſtrain his freeholders, &c. without the King's command. *ibid.* &c. 3.

25 *E.* 1. c. 2. *Eng.* Any judgment given contrary to the great charters, ſhall be holden for nought. *ibid.* 4.

1 *E.* 3. ſtat. 2. c. 9. *Eng.* Cities, &c. ſhall enjoy their franchiſes, cuſtoms and uſages. *ibid.* 13.

2 *E.* 3. c. 8. *Eng.* It ſhall not be commanded by the great ſeal, &c. to diſturb or delay common right, &c. *ibid.* 14.

3 *E.* 3. c. 9. *Eng.* None ſhall be attached by any accuſation, nor ſhall his lands, &c. be ſeized into the King's hands againſt the great charter. *ibid.* 15.

25 *E.* 3. ſtat. 5. c. 4. *Eng.* None ſhall be taken by petition, &c. to the King, unleſs by indictment of lawful people; nor any diſfranchiſed without being forejudged by courſe of law, &c. *ibid.* 19.

28 *E.* 3. c. 3. *Eng.* None ſhall be put out of land, nor put to death, &c. without being brought in to anſwer by due proceſs of law. *ibid.* 20.

Liberties and rights.

42 *E.* 3. c. 3. *Eng.* None ſhall be put to anſwer without preſentment before juſtices, &c. any thing done contrary, ſhall be held for error, &c. *ibid.* 21.

3 *C.* 1. c. 10. Petition of right. None ſhall be compelled to yield any gift, &c. without conſent of parliament; and no freeman ſhall be impriſoned without cauſe ſhewn; nor ſhall the people be burthened with ſoldiers, &c. *ibid.* 27.

The late proceedings ſhall not be drawn into conſequence, and all officers ſhall ſerve the King according to the laws of the realm, &c. *ibid.* 28.

1 *W.* & *M.* ſtat. 2. c. 2. The contents of a declaration preſented to the prince and princeſs of Orange, by the parliament, on the 13th of February 1688. *ibid.* 29.

All the rights and liberties aſſerted in the ſaid declaration, are declared to be the indubitable right of the people, &c. *ibid.* 30.

No diſpenſation by *non obſtante* of any ſtatute ſhall be allowed, &c. *ibid.* 31.

No charter granted before 23 October 1689, ſhall be invalidated by this act, &c. *ibid.* 32.

12 & 13 *W.* 3. c. 2. Further proviſion made for ſecuring the religion, liberties, &c. of the kingdom, after the death of his Majeſty, &c. *ibid.* 33.

All laws, &c. for ſecurity of the religion, liberties, &c. of the people, are by the King and parliament confirmed. *ibid.* 34

Life eſtates.

7 *W.* 3. c. 8. *Ceſtuy que vie* remaining beyond ſea, &c. for 7 years, and no ſufficient proof being made of their lives on an action by the leſſor, &c. deemed to be dead. LIFE ESTATES, 1.

Jurors being leſſees for lives, may be objected to on ſuch trial. *ibid.* 1.

If *ceſtuy que vie* return, after eviction, &c. leſſor ſhall be reſtored, &c. *ibid.* 3.

7 *W.* 3. ſeſſ. 1. c. 12. No leaſes or eſtates, ſave copyhold, &c. intereſts, to be aſſigned, &c. without writing, &c. *ibid.* 1.

Eſtates *per auter vie* deviſeable. *ibid.* 4.

11 *A.* c. 3. Where perſons are diſabled by inſanity, coverture or infancy, from making leaſes for lives purſuant to any agreement, lord chancellor, or the barons of the exchequer, may decree leaſes to be made. *ibid.* 5, 6, 7.

Lignum-vitæ.

5 *G.* 3. c. 16. No duty to be paid on the importation of Lignum-vitæ.

Limerick.

31 *G.* 2. c. 20. Commiſſioners appointed for rebuilding Baal's bridge. LIMERICK, 1, 2.

33 *G.* 2. c. 15. Money granted for widening ſtreets, &c. veſted in the commiſſioners for Baal's-bridge. *ibid.* 3.

1 *G.* 3. c. 17. Two weigh-houſes to be erected in Limerick. *ibid.* 4.

Limitations.

3 *E.* 1. c. 39. Stat. Weſtm. 1. *Eng.* In conveying deſcent, none ſhall declare on the ſeiſin of his anceſtors beyond the time of king Richard. LIMITATIONS, 1.

28 *H.* 8. c. 21. Actions, *&c.* where the forfeiture goes to the King, to be proſecuted within three years, and where to the informer, or King and informer within one year. ACTIONS POPULAR, 2.

10 *C.* 1. ſeſſ. 2. c. 6. Seiſin of a man's anceſtors, *&c.* ſhall be within 60 years before teſte of the writ of right, but in *mortdanceſtor*, cozenage, *aiel*, &c. 50 years. LIMITATIONS, 2, 3.

Actions for lands upon a man's own ſeiſin, to be brought in 20 years. *ibid.* 4.

Seiſin of a man's anceſtor, *&c.* in avowry for rent, *&c.* ſhall be within forty years. *ibid.* 5.

Every *formedon*, and *ſcire facias* on fines and recoveries, to be brought in 20 years. *ibid.* 6, 7.

On a falſe verdict in ſuits for which a time is limited, party aggrieved may have attaint. *ibid.* 8.

None to make entry but within 20 years from his title, a ſaving for infants, &c. *ibid.* 9, 10.

All actions of the caſe (except ſlander) account, (except merchants) treſpaſs, debt, detinue, replevin, *quare clauſum fregit*, to be brought within ſix years, treſpaſs of aſſault, &c. in four years, actions for words in two years, on reverſal by error or outlawry, the party has one year after the reverſal to bring his action. *ibid.* 11, 12, 13.

A ſaving for infants, &c. not to extend to writ of right of advowſon, *quare impedit*, aſſiſe of *darrian preſentment* or *jure patronatus*, nor to poſſeſſions of clergy, &c. *ibid.* 14, 15, 16.

4 *A.* c. 16. *Eng.* Actions in the admiralty for ſeamens wages, in what time to be brought, &c. ſaving for infants, &c. *ibid.* 17, 18, 19.

6 *A.* c 10. In caſes of perſonal actions, if the defendant be beyond ſea, plaintiff may have his action, if brought in ſix years after his return. *ibid.* 20.

No claim or entry made upon lands, &c. ſhall avoid any fine levied, &c. unleſs proſecuted in one year after ſuch entry. FINES, 24.

2 *G.* 1. c. 20. No indictment, &c. for words to be proſecuted, unleſs information be given before a juſtice of the peace in one month, and before a judge of the King's bench in two months after the words ſpoken. ACTIONS POPULAR, 8.

Actions on penal ſtatutes where the forfeiture goes to the King, only to be in two years, and actions *qui tam*, within one year, &c. *ibid.* 10.

A ſaving where by any penal ſtatute, it is directed to be brought ſooner. *ibid.* 12.

4 *G.* 1. c. 10. No fine or recovery levied, &c. before December 1712, ſhall be reverſed for error, &c. unleſs the writ of error be brought in five years from December 1717, nor none after to be levied, ſhall be recovered, unleſs proſecuted ten years after the fine, &c. levied, &c. a ſaving for infants, &c. LIMITATIONS, 21, 22.

8 *G.* 1. c. 4. In actions of debt, &c. due 20 years, if no action be commenced in that time, nor any intereſt have been paid, defendant may plead payment in bar. *ibid.* 23.

Mortgagees 20 years in poſſeſſion, may plead it in bar, &c. to the equity of redemption. *ibid.* 24.

All perſons not already barred, claiming any eſtate, &c. on any lands, &c. not being in poſſeſſion for 20 years by themſelves, &c. and not commencing any action for the ſame in five years, from the 12th Sept. 1724, are barred. *ibid.* 25.

A ſaving for perſons who ſhall commence an action in five years after the title accruing, &c. *ibid.* 26.

A ſaving for infants, *non compos*, *&c.* *ibid.* 27.

A ſaving for the King, *&c.* *ibid.* 28.

11 *G.* 2. c. 15. Actions of debt for rent due to tranſlated biſhops, ſhall be commenced within two years after ſuch tranſlation. RENTS, 37.

Linen manufacture.

1 *A.* ſtat. 2. c. 8. *Eng.* Linen, *&c.* imported directly from Ireland by natives, *&c.* ſhall be free from all duties. FLAX AND HEMP, 1, 2.

Iriſh linens, *&c.* may be imported into England by natives, *&c* duty free, *&c.* LINEN MANUFACTURE, 1.

3 *A.* c. 8. *Eng.* Natives of England or Ireland may tranſport brown linen cloth of Iriſh manufacture in Engliſh ſhips, *&c.* to any of the plantations, notwithſtanding 15 *C.* 2. c. 7. *ibid.* 2.

No ſhip from Ireland to the plantations ſhall break bulk, before the maſter delivers to the governor, *&c.* an invoice of her lading and certificate from the chief officer of the port in Ireland, that the linen, *&c.* is of Iriſh manufacture, *&c.* ſhips from Ireland equally ſubject to the ſame rules as thoſe from England. *ibid.* 3, 4.

Perſons for any ſeizures made in purſuance of this act, may plead the general iſſue, *&c.* and all informations, *&c.* to be commenced within 12 months after diſcovery of the offence. *ibid.* 5, 6.

If ſhips laden with goods in England, *&c.* for the plantations ſhall put into Ireland and take linen, the like certificate ſhall be made as is before directed, *&c.* *ibid.* 7, 8.

3 *G.* 1. c. 21. *Brit.* The act 3 and 4 *A.* c. 8. to permit the exportation of Iriſh linen cloth to the plantations, &c. ſhall continue in force ſo long as Britiſh linen cloth is permitted to be imported into Ireland, and linens made in Ireland imported into England, may be ſhipped off for the American plantations without paying duty. *ibid* 9, 10.

18 *G.* 2. c. 24. *Brit.* Stamp-maſters to be ſworn for the faithful execution of their offices, and no bounty to be paid on Britiſh, &c. linens unleſs marked with the name of the maker, &c. and cloth intended for bleaching, to be cut in the preſence of the ſtamp-maſter, &c. Penalty on marking foreign linens with Britiſh ſtamps, &c. not to extend to altering the method of ſtamping, &c. *ibid.* 14 to 18.

19 *G.* 2. c. 6. Repeal of ſeveral former acts for the improvement of the hempen and flaxen manufactures. *ibid.* 16.

3 *G.* 3. c. 12. Duties on painted or ſtained callicoes, muſlins, &c. *ibid.* 17—19.

3 *G.* 3. c. 34. Repeal of former acts, &c. *ibid.* 20.

Making up brown linen-yarn for ſale. *ibid.* 21.

Yarn, exceeding two dozen in the pound, to be made up in dozens of twelve cuts. *ibid.* 22.

Cuts

Linen manufacture.

Cuts to contain one hundred and twenty threads, and the reel two yards and half long. *ibid.*

Ouncils not to be uſed for weighing yarn, to diſtinguiſh the ſort or denomination. *ibid* 24.

Count thread to be reeled on a reel of thirty inches or more in circumference. *ibid.* 25.

Ounce thread to be reeled on a reel thirty five inches or more in circumference. *ibid.*

Boſs thread on a reel of forty two inches, or more, in circumference. *ibid.*

Taylor's thread on a reel of ſixty inches or more, and divided into ſkeins of ſixteen threads or more. *ibid.* 26.

Manufacturers of thread to affix their names and place of abode on every package, &c. *ibid.*

Number of threads for twilled tapes. *ibid.* 27.

Length of pieces and number of threads for plain tapes. *ibid.* 28.

Length of red, plain ſtriped, and coloured ſtriped or twilled tapes. *ibid.* 29.

Length of braid, ferretting, ſhoe-lace, laces, bobbin, &c. *ibid.* 30.

Tapes and bobbin woven in dutch-engines. *ibid.* 31.

Plain tapes and fillettings, called fine French tapes. *ibid.*

Twilled diaper tapes, and bobbin or bandſtring twiſt. *ibid.*

Forfeiture of goods not conformable to the directions. *ibid.* 32.

Makers of weaving reeds ſhall equally divide the ſplits, and brand their names, &c. *ibid.* 33.

Penalty on weavers keeping reeds not equally divided, or not branded. *ibid.* 34.

Cords to be woven at each end of linen, and the name of the weaver to be wrote with ink near the cords. *ibid.* 35.

Weavers to make cloth according to agreement between them and the owners. *ibid.* 36.

Journeymen not to be hired without a certificate from the former maſter. *ibid.* 37.

Apprentices not to be employed in huſbandry or labour, except as limited. *ibid.* 40

Summoning to appear at meetings to enter into combinations. *ibid.* 41.

Whipping and confinement of perſon taking oaths to enter into combinations. *ibid.* 42.

Deſtroying materials, manufactures or tools, felony of death. *ibid.* 43.

Liberty to manufacturers, *&c.* to ſet up their trades in any city or town-corporate. *ibid.* 44.

Breadth of the ſeveral ſorts of brown cloths. *ibid.* 46, *&c.*

Bleached linen not twenty five inches broad, forfeited if expoſed to ſale. *ibid.* 49.

Colerain's to be thirty inches broad when brown. *ib.* 50.

Brown cloth exported to be twenty ſix inches broad, on pain of forfeiture. *ibid.* 51.

Brown cloth not to be finer or thicker in the ſelvage than in the reſt. *ibid.* 52.

Length of brown linens for ſale in Ulſter. *ibid.* 53.

Regulations for the ſale and manner of folding unbleached linens. *ibid.* 54, *&c.*

Linen manufacture.

Meaſuring and ſale of linens. *ibid.* 57.

Dying or marking yarn or cloth, ſo as to render it difficult to bleach. *ibid.* 58.

Uſing glazing machines, or engines for ſmoothing brown linens. *ibid.* 59.

Uſing lime, ſoaper's dregs, or pigeons dung in bleaching. *ibid.* 60.

Mixing ſtones or gravel amongſt kelp. *ibid.* 61.

Leaſes of lands for bleach-yards. *ibid.* 62.

Wilfully damaging cloth or yarn in bleach-yards, *&c.* *ibid.* 63.

Taking in cloth or yarn to be whitened without the knowledge or conſent of the maſter. *ibid.* 64.

Information of damage to the maſter in ſix days. *ibid.* 65.

Abſenting from work in bleach-yards, the penalty. *ibid.* 66.

Bleachers to mark all cloth with their names, *&c.* before expoſing to ſale. *ibid.* 67.

Satisfaction to be made for any damage by bleacher. *ibid.* 68.

Licence to be taken for keeping a bleach-yard, within five miles of Dublin. *ibid.* 69.

Cloth and yarn to be ſold at publick fairs or markets. *ibid.* 70.

Days allowed for ſelling yarn before the days of fairs in Connaught. *ibid.* 72.

Selling cloth or yarn in the ſame fair where it was bought, forfeiture. *ibid.* 73.

Buyers to ſell again, to write their name with ink on the outſide of every piece of cloth. *ibid.* 74.

Sellers of cloth to write their name with ink on the outſide of every piece. *ibid.* 75.

Place for ſelling yarn in Dublin. *ibid.* 76.

No toll or duty to be paid for ſeed, flax, hemp, manufactures or utenſils, *&c.* *ibid.* 77.

No duty on exportation of linen or hempen cloth manufactured in this kingdom. *ibid.* 78.

No duty on importation of ſeveral articles. *ibid.*

Embezzling materials or tools for the manufactures of hemp or flax. *ibid.* 79.

Appointment of truſtees by the lord lieutenant, *&c.* on vacancies. *ibid.* 80.

Truſtees may appoint officers, ſervants, factors, *&c.* *ibid.* 82.

Contracts for carrying on the manufacture or any branch thereof. *ibid.* 83.

No utenſils lent by the truſtees and ſtamped ſhall not be diſtrained for rent, *&c.* *ibid.* 84.

Packers of dreſſed hemp to be licenſed. *ibid.* 85,

Rules and directions for regulating the linen and yarn halls, markets, calendar-houſes, *&c.* *ibid.* 86.

Clerks, packers, ſeal-maſters, lappers, *&c.* to obſerve the orders and directions of the truſtees. *ibid*

Bonds and ſecurities to be taken for the obſervance of the orders and directions. *ibid.* 87.

Oath for the faithful execution of duty. *ibid.* 88.

Fines may be impoſed for fraud, miſbehaviour or neglect in officers, *&c.* *ibid.* 89.

Suits on contracts, *&c.* may be brought in the name of the clerk of the truſtees. *ibid.* 90.

Linen manufacture.

Anſwer of the clerk ſufficient to bills in equity againſt the truſtees. *ibid.* 91.

Suits not to abate by the death of the clerk. *ibid.* 92.

Times of meeting for hearing complaints. *ibid.* 93.

Duty of ſeal-maſters of brown linens. *ibid.* 94. &c.

No brown linens to be expoſed to ſale or entered for exportation, until it be ſealed and marked. *ibid.* 102.

Duty of lappers of bleached linen. *ibid.* 104, *&c.*

No bleached linen to be expoſed to ſale or entered for exportation, until it be lapped and marked. *ibid.* 106.

Duty of packers of hemp. *ibid.* 107.

Counterfeiting the names of reed-makers, weavers, *&c.* *ibid.* 110.

No packer, ſeal-maſter or lapper to act after notice that their ſeal is ordered to be given up. *ibid.* 111.

Seals not to be ſold or lent to be uſed by any other perſon. *ibid.* 112.

Notice in the gazette of orders or directions ſhall be ſufficient. *ibid.* 113.

Oath may be adminiſtered by any juſtice, chief magiſtrate or one of the truſtees. *ibid.* 114.

Forging the name of any juſtice, magiſtrate or truſtee. *ibid.* 115.

Offences how to be heard and determined. *ibid.* 116, 117.

Cloth condemned as forfeited, to be cut in 3 pieces. *ibid.* 120.

Informations for offences to be brought within ſix months. *ibid.* 122.

Penalty for giving informations ill grounded. *ibid.* 123.

Apprentices, ſervants and journey-men ſummoned to to give evidence. *ibid.* 124.

Clergy taken away for offences of ſtealing linen, *&c.* from bleach-yards, *&c.* *ibid.* 127.

Penalties for reſcuing ſeizures, *&c.* *ibid.* 128.

Rules and orders of the truſtees to be valid. *ibid.* 129.

Suits for penalties to be by civil bill in a ſummary way. *ibid.* 130.

Officers appointed to ſearch for and ſeize linen yarn expoſed to ſale contrary to this act. *ibid.* 131.

Damages ſuſtained by buyers of linen to be recovered. *ibid.* 132, 133.

Not to be recovered in caſe the perſon has been fined, *&c.* *ibid.* 134.

Certificate of the clerk of the truſtees evidence in what caſes. *ibid.* 135.

Names affixed or marked purſuant to this act, evidence. *ibid.* 136.

Market houſes to be built by preſentment in each province. *ibid.* 137.

Grand juries may make preſentment for ſuch houſes and a ſalary for the officer attending. *ibid.* 138.

Manufactures of linen from Great Britain duty free. *ibid.* 140.

Officers demanding extraordinary fees incapacitated. *ibid.* 141.

Sails made of foreign ſail cloth, in what caſes liable to duty. *ibid.* 143.

5 *G.* 3. c. 9. Cloths not exceeding 26 yards in length, not to be forfeited. *ibid.* 144.

Linen manufacture.

Diſputes between buyer and ſellers of cloth or yarn, how to be determined. *ibid.* 145.

Leaſes of lands not exceeding 5 acres for carrying on linen-manufacture. *ibid.* 146.

Leaſes void if one third part of the land is not applied in 3 years to the uſe intended. *ibid.* 151.

Linen-Rags.

No duty to be paid on the importation of linen-rags.

Loan.

5 *G.* 3. c. 2. Intereſt at 4 *per cent.* for the ſum of 600,000*l.* LOAN, 1.

Debentures at 5 *per cent.* to be called in and cancelled. *ibid.* 2

Creditors unwilling to take 4 *per cent.* to be paid their principal and intereſt. *ibid.* 3.

Creditor for a further ſum of 10,000. *ibid.* 4.

Debentures transferrable by indorſement. *ibid.* 6.

New additional duties for payment of the ſums borrowed. *ibid.* 7.

Drawings of debentures to be diſcharged. *ibid.* 9.

Intereſt to ceaſe after 20 days. *ibid.* 10.

Lord Juſtice.

33 *H.* 8. Seſſ. 2. c. 2. Upon avoidence of the king's lieutenant of Ireland, *&c.* privy council, *&c.* ſhall chooſe, *&c.* an Engliſhman being no ſpiritual perſon to be governor, or if none ſuch to chuſe two out of the council. LORD JUSTICE.

The chancellor thereupon to make out letters patent to enjoy the ſame 'till the king appoints one, *&c.* *ibid.*

Lord's Day.

2 *E.* c. 2. Penalty on perſons not repairing to church on the Lord's day. SERVICE, *&c.* 12.

7 *W.* 3. Seſſ. 1. c. 17. Penalty, *&c.* on any exerciſing any labour, *&c.* on the Lord's day, or expoſing to ſale any goods, *&c.* HOLYDAYS &c. 14.

Penalty on any drover, *&c.* travelling or coming to any inn on the Lord's day *ibid.* 15.

Penalty on any exerciſing hurling, *&c.* on the Lord's day. *ibid.* 16.

This act not to prohibit inns, *&c.* before 10 in the forenoon, or after 4 in the afternoon, nor hackney coaches in Dublin. *ibid.* 17.

The hundred not chargeable with a robbery committed on the Lord's day. *ibid.* 19.

Proceſs, *&c.* except in treaſon, *&c.* ſerved on the Lord's day to be void, *&c.* *ibid.* 20.

No perſon to be entertained in any tavern, *&c.* in time of divine ſervice on the Lord's day, on pain, *&c.* *ibid.* 21.

6 *G.* 1. c. 5. Diſſenting miniſters exempted from being on juries, church-wardens, *&c.* but muſt frequent ſome religious houſe of worſhip on the Lord's day NONCONFORMISTS, 9, 10.

Lotteries.

6 *A.* c. 17. All lotteries and gaming tables, except the groom porters during the reſidence of the chief governor, adjudged a nuſance and penalty, on any keeping ſuch, and how, and in what time information is to be made, *&c.* LOTTERIES, 1, 2.

11 *A.* c. 6. All lotteries ſhall be deemed public nuſances, and perſons ſhewing or exerciſing lotteries to forfeit 100 *l.* and perſons throwing, *&c.* at them, 10*l.* to the crown, poor and informer, and double coſts, but not to be proſecuted on any other act. *ibid.* 4, 5, 6, 7.

13 *G.* 2. c. 8. Penalty on perſons keeping lotteries for ſale of houſes, ſhips, jewels, *&c.* and how recoverable, what games are not allowed by this act, and penalty on perſons playing, *&c.* at them. *ibid.* 8, 9, 10.

All ſales of houſes, *&c.* made by lotteries, *&c.* void, and the houſes, *&c.* forfeited to the informer, and how and where appeal may be brought. *ibid.* 11, 12.

No judgment given on this act to be reverſed for want of form, and no *certiorari* allowed to remove the action from the court of quarter-ſeſſions until ſecurity given to pay treble coſts if the judgment be affirmed. *ibid.* 13, 14.

Juſtice of peace, *&c.* may commit offenders to gaol on refuſal, *&c.* of the forfeitures and penalty on their neglect, and how to be diſpoſed of. *ibid.* 15, 16.

Mandamus.

19 *G.* 2. c. 12. In what caſes returns ſhall be made to the firſt writ of *mandamus*, for reſtoring freemen to corporations. CORPORATIONS, 19.

In what manner the parties ſhall proceed on ſuch writ of *mandamus* and where the iſſue be triable. *ibid.* 20.

Damages and coſts to be recovered by the perſons ſhewing ſuch writ, and how they ſhall be levied. *ibid.*

Peremptory *mandamus* ſhall iſſue for the party for whom judgment ſhall be given. *ibid*

If judgment be for the perſons making return, they ſhall recover coſts. *ibid.*

Perſons making return ſhall not be liable to damages in any other action. *ibid.* 21.

The court may grant time to make a return to plead, *&c.* *ibid.* 24.

The ſtat. of 6 *A.* and all ſtatutes of jeofails ſhall extend to *mandamus* and *quo warranto* under this act. *ibid.* 34.

Maiming.

5 *H.* 4. c. 5. *Eng.* Offenders who maim, *&c.* the king's liege people, *&c.* if it be proved to be done from malice prepenſe, ſhall be adjudged felons. MAIMING, 1.

11 *G.* 2. c. 8. Perſons in malice aforethought wounding others with intent to kill or maim, ſhall be adjudged felons without benefit of clergy, not to extend to forfeit the wife's dower, *&c.* *ibid.* 2, 3.

Maintenance.

3 *E.* 1. c. 25. *Stat. Weſt. Eng.* No officer ſhall maintain pleas in the king's courts to have profit thereby, *&c.* MAINTENANCE, 1.

Maintenance.

———c. 28. *Stat Weſtm.* 1. *Eng.* No clerk to take the preſentment of a church in debate, without the king's licenſe, on pain, *&c.* *ibid.* 2.

13 *E.* 1. c. 36. *Eng Weſt.* 2. Lords of courts, *&c.* ſhall not grieve their inferiors, and if any be attached upon falſe complaints he ſhall cauſe the matter to be brought before the juſtices, *&c.* *ibid.* 3.

——— c. 49. *Eng.* The chancellor, treaſurer, nor any of the king's houſe, *&c.* ſhall not receive any land, *&c.* by champerty while the thing is in plea, on pain of puniſhment. *ibid.* 4.

28 *E.* 1. c. 11. *Eng.* No officer who is to have part of the thing in plea ſhall take upon him buſineſs in ſuit, *&c.* *ibid.* 5.

33 *E.* 1. Stat. 3. *Eng.* No attorney, *&c.* ſhall take any ſuit for maintenance, *&c.* on pain of fine and 3 years impriſonment, *&c.* *ibid.* 6.

1 *E.* 3. Stat. 2. c. 14. *Eng.* None of the king's councillors or other great men of the realm ſhall maintain quarrels in the country by ſending letters, *&c.* *ibid.* 7.

4 *E.* 3. c. 11. *Eng.* Where perſons diſinherited dare not ſue for right, juſtices of both benches ſhall inquire and determine at the king's ſuit and the party's. *ibid.* 8.

20 *E.* 3. c. 4. *Eng.* None to maintain any quarrels but their own. *ibid.* 9.

1 *R.* 2. c. 4. *Eng.* No officers, *&c.* ſhall take any quarrel by maintenance in the country, upon grievous pain, *&c.* *ibid.* 10.

———c. 7. *Eng.* No livery ſhall be given for maintenance of quarrels, *&c.* upon pain of impriſonment and forfeiture. *ibid.* 11.

———c. 9. *Eng.* Every feoffment of lands made by fraud or maintenance ſhall be void. FRAUDS, &c. 1.

13 *R.* 2. Stat. 3. *Ord. to prevent diſturb. Eng.* No lord, *&c.* who hath people of his retinue ſhall ſuffer them to be maintainers of quarrels. MAINTENANCE, 12.

10 *C.* 1. Seſſ. 3. c. 15. All ſtatutes made in England concerning maintenance, *&c.* now in force to be put in execution in Ireland. *ibid.* 13.

Penalty on any buying or ſelling a title of lands, *&c.* unleſs the ſeller, his anceſtors, *&c.* were one year next before in poſſeſſion, *&c.* *ibid.* 14.

Penalty on any maintaining any ſuit, *&c.* in the courts or unlawfully retaining any perſon, *&c.* *ibid.* 15.

A ſaving for perſons in lawful poſſeſſion, &c. *ibid.* 16.

Juſtices of aſſiſe ſhall cauſe proclamation to be made of this act and all other ſtatutes againſt unlawful maintenance, champerty, *&c.* *ibid.* 17.

Penalties on this act to be ſued for within one year after the offence committed. *ibid.* 18.

Manufactures.

3 *G.* 2. c. 14. Workmen, artificers, *&c.* entering into unlawful combinations under pretence of regulating their trade, &c. ſhall be committed to the houſe of correction, and kept to hard labour for 3 months, &c. MANUFACTURES, 1, 2.

If any perſon employed as an artificer, &c. ſhall quit his ſervice before the end of the time for which he is hired, &c. or ſhall leave his work for 3 days, or return

Manufactures.

his work unfiniſhed without reaſonable cauſe, he ſhall forfeit 5 *l.* or be ſent to the houſe of correction. *ibid.* 3.

If the employer of ſuch artificer ſhall not conſtantly furniſh him with proper materials, or doth not pay his wages regularly, ſuch artificer ſhall not be liable to the penalties, &c. *ibid.* 4.

If diſputes ariſe between employers and workmen, juſtices of peace ſhall direct the maſters and wardens of the reſpective trades to inquire into the merits. *ibid.* 5, 6.

Maſters employing artificers, &c. retained by others during the time of their being ſo retained, ſhall forfeit 5l. &c. *ibid.* 7.

If any workman, &c. wilfully damage or deſtroy any work or goods committed to his charge, he ſhall forfeit double the value. *ibid.* 8.

Employers ſhall not pay artificers, &c. their wages by way of truck but in money, nor pay off ale-houſe ſcores, &c. without ſuch workmens conſent. *ibid.* 9.

Any two juſtices of peace are impowered, on complaint to ſummon the offending parties, &c. for non-payment of wages, &c. and to iſſue their warrants for levying ſuch wages, not exceeding 3l. *ibid.* 10.

Perſons aggrieved by any order of the two juſtices in purſuance of this act may appeal to the next general quarter-ſeſſions, &c. *ibid.* 11.

No undertaker of work ſhall upon any pretence charge his employer with any higher ſums for workmens wages than what he *bona fide* pays, on pain of forfeiture of 10l. to be recovered by civil bill. *ibid.* 12.

5 *G.* 2. c. 4. If any journeyman ſtrike another for working for his employer, or ſhall aſſault his maſter for employing any perſon, the offender being thereof convicted within three months after the offence ſhall forfeit 40s. &c. *ibid.* 13.

17 *G.* 2. c. 8. Houſes where unlawful combinations of journeymen are held, ſhall be deemed common nuſances, and the maſter or miſtreſs knowingly permitting ſuch aſſemblies, ſhall be puniſhed as keepers of bawdy houſes, &c. *ibid.* 14.

Juſtices are required upon information given them againſt ſuch offenders to iſſue ſummonſes to perſons to appear as witneſſes on ſuch proſecutions, &c. provided that nothing ſaid by witneſſes upon examination ſhall be given in evidence againſt them. *ibid.* 15, 16.

By this act employers paying their journeymen with goods by way of truck inſtead of money, are liable to the penalty of 10l. Perſons aggrieved may appeal to the juſtices at the next general quarter ſeſſions, &c. *ibid.* 17, 18.

23 *G.* 2. c. 13. *Brit.* Perſons endeavouring to ſeduce artificers, &c. to go out of England or Ireland into any foreign country not belonging to the crown, ſhall on conviction forfeit for the firſt offence 500l. and ſuffer a year's impriſonment, and for the ſecond and every other time of offending 1000l. and two year's impriſonment for every artificer, &c. ſo ſeduced, provided proſecutions are commenced within 12 months after the offence. *ibid.* 19, 20.

None ſhall ſhip for exportation to any foreign country, &c. tools or utenſils proper for the woollen or ſilk manufactures on penalty of 200l. to be recovered by civil bill, &c. *ibid.* 21.

Manufactures.

Officers of the cuſtoms may ſeize ſuch tolls, &c. and after legal condemnation ſell the ſame to the beſt bidder, one moiety of the produce to be to the king, the other to the officer, &c. *ibid.* 22.

Maſters of veſſels knowingly permitting ſuch tools, &c. to be put on board their ſhips, ſhall forfeit 100l. &c. *ibid.* 23.

Officers of the cuſtoms, &c. taking an entry outward, or ſigning a ſufferance for the exportation of ſaid tools, ſhall forfeit 100l. and his office. *ibid.* 24.

One moiety of the forfeitures on this act to go to the king and the other to the proſecutor. *ibid.* 25.

All ſuits for offences againſt this act ſhall be commenced within 6 months after the fact, and the defendant may plead the general iſſue, &c. *ibid.* 26.

31 *G.* 2. c. 10. Penalty on embezzeling or unlawfully diſpoſing of materials or tools. *ibid.* 27.

Penalty on buyers or receivers of goods or materials without conſent of the owners. *ibid.* 28.

Perſons aggrieved may appeal to the quarter-ſeſſions. *ibid.* 29.

Warrant to ſearch houſes, &c. of perſons convicted. *ibid.* 30.

Materials remaining unuſed to be returned to the owners. *ibid.* 33.

Hiring to another before former engagements are compleated, the penalty. *ibid.* 35.

Breaking into houſes with intent to deſtroy manufactures or tools, &c. felony without clergy. *ibid.* 37.

3 *G.* 3. c. 34. Summoning perſons to enter into combinations, &c. the penalty. *ibid.* 38.

Artificers, &c. taking oaths or entering into combinations, the penalty. *ibid.* 39.

Breaking into houſes by day or by night with intent to deſtroy manufactures or tools, felony without clergy. *ibid.* 40.

Marriages.

33 *H.* 8. Seſſ. 1. c. 6. All marriages conſummate, &c. not diſſolable for precontract. MARRIAGES. 1.

10 *C.* 1. ſeſſ. 2. c. 21. Bigamy is felony of death, not to extend to any marriage where the huſband or wife was 7 years abſent, &c. *ibid.* 2.

A ſaving to perſons whoſe huſband or wife ſhall remain beyond the ſeas for ſeven years together, or if ſeparated from each other within his majeſty's dominions ſeven years, one not knowing the other to be living. *ibid.* 3.

Not to extend to perſons that ſhall be at the time of ſuch marriage divorced by any ſentence had in the eccleſiaſtical court, &c. *ibid.* 4.

No attainder for this offence ſhall work any corruption of blood, loſs of dower, or diſheriſon of heirs. *ibid.* 5.

9 *W.* 3. c. 28. If proteſtant women intitled to eſtate in lands, &c. marry with papiſts in Ireland, the lands ſhall go to the next proteſtant kin, &c. *ibid.* 6.

Such proteſtant women and popiſh huſbands ſhall be incapable of being heir, &c. *ibid.* 7.

Penalty on parſon marrying them. *ibid.* 8.

A pro-

Marriages.

A proteſtant marrying a popiſh woman, unleſs ſhe conforms within a year, &c. to be deemed a popiſh recuſant. *ibid.* 9.

In caſes where certificate is required that the perſon marrying is a known proteſtant, if any marriage is made without ſuch certificate, and if it afterwards appears that ſuch perſon was a proteſtant, they ſhall not be liable to the penalties, &c. *ibid.* 10.

Penalty on parſons marrying ſoldiers to papiſts. SOLDIERS, 6.

2 *A.* c. 6. Penalties on proteſtants having eſtate in Ireland marrying papiſts out of the kingdom. MARRIAGES, 11, 12.

6 *A.* c. 16. Beneficed clergymen celebrating the marriage of a maid, &c. under 18 years old having lands, &c. or the marriage of a ſon under 21, of any perſon having 50l. *per ann.* in lands, &c. ſhall be deprived and tranſported, and acceſſories to ſuffer 3 years impriſonment. WOMEN, 8. MARRIAGES, 13, 14, 15.

Popiſh prieſts marrying proteſtants knowingly, to ſuffer as regulars. *ibid.* 16.

If any perſon above 14 years old ſecretly allure, &c. any maid, &c. within 18 having ſubſtance in lands, &c. or being heireſs out of the cuſtody of the father, &c. againſt their will, and contract matrimony with her conſent without conſent of parents, &c. he ſhall ſuffer 3 years impriſonment, &c. WOMEN, 8.

If any of the parties at the time of marriage by a popiſh prieſt was a proteſtant it ſhall be deemed the prieſt knew it. MARRIAGES, 17.

12 *G.* 1. c. 3. Popiſh prieſts or degraded clergymen of the church, &c. marrying two proteſtants, &c. guilty of felony without clergy. *ibid.* 18.

Two juſtices of peace may ſummon the perſon married, &c. and examine him upon oath, &c. and if he refuſe to appear, &c. he ſhall be impriſoned, &c. *ibid.* 19, 20.

Such examination not to ſubject the parties to penalties. *ibid.* 21.

No contract not conſummated, &c. ſhall avoid a marriage conſummated. *ibid.* 22.

If perſons convicted of offences on this act claim the benefit of clergy, &c. and ſuch claim be allowed, &c. they ſhall be tranſported as perſons convicted of a capital felony. *ibid.* 23.

2 *G.* 2. c. 11. Marriage contracts, where either of the parties are under age, had without conſent of the father, &c. in writing, ſhall be void, if either be intitled to 100l. *per ann.* or 500l. perſonal eſtate; and the father, &c. may commence ſuit in the eccleſiaſtical court to diſannul the contract, provided it be done within a year, &c. *ibid.* 24. &c.

If any perſon marry one under age without conſent, &c. poſſeſſed of 10,000 *l.* he ſhall forfeit 500 *l.* one moiety to the king, and the other to thoſe who ſue for the ſame. *ibid.* 27.

No penalty ſhall be incurred unleſs the proſecution be commenced within a year after the fact committed. *ibid.* 28.

No miniſter ſhall publiſh the bans of matrimony between any perſons whereof one is a proteſtant the other a papiſt. *ibid.* 29.

Marriages.

Nothing herein ſhall be conſtrued to take away any of the penalties, &c. againſt perſons concerned in clandeſtine marriages, &c. *ibid.* 30.

19 *G.* 2. c. 13. Marriage by popiſh prieſt between proteſtant and papiſt, or proteſtants, void without proceſs. *ibid.* 31.

Forcibly carrying away women with intent to marry or defile, felony without clergy, &c. WOMEN, 12.

This act and 9 *G.* 2. c. 11. to be read once a year, and when, in pariſh churches. MARRIAGES, 32.

23 *G.* 2. c. 10. In what manner ſpiritual courts may determine ſuits by guardians to annul marriages and matrimonial contracts of minors, without conſent and abſconding. *ibid.* 33.

Where guardian dies or is removed, before ſuit commenced or determined, ſucceeding guardian may commence ſuch ſuit, or proſecute any ſuit commenced by ſuch former guardian. *ibid.* 34.

Popiſh prieſts marrying proteſtants or proteſtant and papiſts, guilty of felony, though the marriages are declared void. *ibid.* 35.

Martins,

17 *G.* 2. c. 10. A reward of ſix pence each ſhall be paid for killing martins, by preſentment of the grand jury. VERMIN.

Mears and Bounds.

9 *W.* 3. ſeſſ. 1. c. 37. Where partition ſhall be made by perambulation, or writ of partition, the mears and bounds ſhall be made up with ditches, &c. on pain of one years value. PARTITION, &c. 6.

8 *G.* 1. c. 5. In what manner the mears and bounds of lands are regulated by this act, but the regulation ſhall not be concluſive, unleſs agreed on by the parties under hand and ſeal, &c. MEARS, &c. 1 to 13.

5 *G.* 2. c. 9. In what manner, and by whom damages are to be awarded on ſettling the mears and bounds of lands adjoining to the flux and reflux of the ſea. *ibid.* 14 to 18.

Militia.

2 *G.* 1. c. 9. The King, &c. may iſſue commiſſion, &c. to call the militia together, &c. and appoint officers, &c. MILITIA, 1.

The governor, &c. may in caſe of invaſion applot 6 d. *per diem* for foot, and 12 d. for horſe, on the county, &c. *ibid.* 6.

Papiſts, &c. to pay double, and in caſe of invaſion, the militia ſhall be drawn out, &c. and paid as the ſtanding forces are. *ibid.* 7.

Commiſſioners, &c. may impreſs carriages, &c. and puniſh munity, &c. *ibid.* 8.

The applotment may on refuſal be levied by diſtreſs, &c. *ibid.* 9.

Perſons embezzeling, &c. furniture, to be impriſoned, &c. *ibid.* 10.

Commiſſioners may inliſt all proteſtants from 16 to 60 years, and penalty on any ſummoned, refuſing to appear, &c. *ibid.* 11.

Militia.

Treaſurers to be appointed, &c. for collecting the money from the county, &c. *ibid.* 12.

Days for muſtering, &c. yearly, and when ſpecified, &c. *ibid.* 13.

The governor, &c. may command all civil officers to ſeize the horſes of papiſts, &c. fit to mount troopers (breeding mares, &c. excepted) and detain them for ten days, &c. *ibid.* 14.

Penalty on papiſts, &c. upon proof that they had a horſe fit for the ſervice, &c. a month before the proclamation refuſing to deliver him. *ibid.* 15.

Commiſſioners to divide the county into diſtricts, &c. None to be obliged to ſerve who finds a proteſtant, &c. *ibid.* 16, 17.

The commiſſioners in cities, &c. have ſame power as thoſe in counties where there are governors. *ibid.* 18.

Papiſts in cities to find proteſtants to ſerve, &c. *ibid.* 19.

The commiſſioners in cities, &c. to lead out the militia as often as the chief governor ſhall think fit. *ibid.* 20.

Not to affect the perſon, &c. of members of parliament, and not to extend to quakers. *ibid.* 21, 22.

6 *G.* 1. c. 3. Accoutrements, &c. of the horſe, &c. to be kept in one place for their uſe. *ibid.* 23.

Officers of the land forces not obliged to ſend a man to the militia. *ibid.* 24.

Twenty ſhillings may by preſentment, &c. be levied at the aſſiſes for the refreſhment of troops, &c. on papiſts, for each day they are out. *ibid.* 25.

19 *G.* 2. c. 9. Lord lieutenant and commiſſioners of array may call together, and employ the militia in their ſeveral counties, or in any other county, according to directions from the King, &c. *ibid.* 26.

Militia ſhall draw out on the days appointed by 2 *G.* 1. c. 9. and as often as the chief governors ſhall think neceſſary. *ibid.*

Grand juries may preſent 10 l. yearly for the hire, &c. of places in county towns, with racks for keeping militia arms, ammunition and accoutrements. *ibid.* 27.

Chief governors may appoint an armourer to keep the arms, &c. and grand juries may raiſe 20 l. or 3 d. for every firelock, bayonet and broad-ſword, for keeping the arms, and what ſalary to ſuch armourer. *ibid.* 28.

Governors of counties, or commiſſioners of array, impowered to view the arms, &c. in the ſtores. *ibid.* 29.

Grand juries impowered to viſit the ſtores and when, and may by preſentment remove the ſtore-keeper or armourer for neglect, or other miſbehaviour. *ibid.*

On ſuch removal, chief governors ſhall appoint another. *ibid.*

Commanding officer muſt appoint a guard out of the ſtanding forces, for ſecurity of ſuch arms, &c. *ibid.* 30.

Governors of counties, and commiſſioners of array, may appoint a guard for ſecuring the arms from the militia, in places where no ſtanding forces are quartered. *ib.*

Such militia guard to be paid at the rate of the ſtanding forces, and the money to be raiſed by preſentment of grand juries. *ibid.*

23 *G.* 2 c. 8. 2 *G* 1. c. 9. for making the militia more uſeful, ſo far as not altered by 19 *G.* 2. c. 9. and the 19 *G.* 2. c. 9. continued for four years. *ibid.*

Militia.

5 *G.* 3. c. 15. The act 2 *G.* 1. c. 9. continued for ten years, from the 25th of March, 1766. *ibid.* 28.

Mill-ſtones, vide Highways.

Mines.

2 *A.* c. 12. No mines of copper, &c. though ſilver may be extracted, ſhall be deemed royal mines. All ſubjects may enjoy their own mines where ore is found; but the Queen may have the ſame, paying for copper 16 s. &c. *per* tun. MINES, 1, 2, 3.

10 *G.* 1. c. 5. All biſhops, &c. corporations, &c. by conſent of the reverſioner, &c. may make leaſes of all mines for thirty one years, at an improved rent. *ibid.* 4.

Where a leaſe ſhall be made by any tenant for life, &c. two of the parts of the rent to be payable to him, and the other three fifth parts to the perſon in remainder. *ibid* 5.

All guardians, &c. may grant ſuch leaſes by conſent of the lord chancellor. *ibid.* 6.

Perſons to whom the rent on fee farm leaſes or long terms belong, may open mines on the ſame lands, and demiſe them for 31 years, making amends, &c. to the tenants in poſſeſſion, &c. and how the damage is to be aſcertained. *ibid.* 7, 8, 9.

No mines to be opened where churches, gardens, &c. ſtand, nor in any garden, &c. without conſent of the tenant in poſſeſſion, and all other perſons in remainder, &c. *ibid.* 10, 11.

The mortgagor, &c. may avoid a leaſe made by the mortgagee without his conſent. *ibid.* 12.

All leaſes made by virtue of this act, to be valid againſt grantor and ſucceſſors, &c. *ibid.* 13.

Where leſſees do not begin to work in a year from the demiſe, or ſhall not keep ſix men 150 days in every year at work, their leaſe ſhall be void, a jointreſs not impowered to make ſuch leaſe, &c. *ibid.* 14, 15, 16.

Saving to the King of all his right of preemption of ore, &c. *ibid.* 17.

1 *G.* 2. c 24. Servants of tradeſmen, &c. imbezeling any coal, mineral, &c. being convicted on oath before a juſtice of peace, ſhall be ſent to the houſe of correction, and whipt at the next market town on a market day. *ibid.* 18.

Juſtices of peace to grant warrants to ſearch all ſuſpected places for ore, timber, &c. *ibid.* 19.

Any perſon wilfully deſtroying any engine, &c. croſs drains, &c. to the value of 5 l. guilty of felony, &c. *ibid.* 20.

15 *G.* 2. c. 10. All perſons are impowered by this act, to make leaſes of mines, &c. purſuant to the 10 *G.* 1. c. 5. *ibid.* 21.

23 *G.* 2. c. 9. In what manner, for what term and rent, leaſes may be made of coal mines. *ibid.* 22.

Archbiſhops of Armagh, how enabled to make leaſes of coal mines, on the lands granted by *C.* 1. for free ſchools. *ibid.* 23.

What tenants for life of lands, containing mines reſerved out of fee farm grants, may make leaſes of mines, and how, and for what term and rent. *ibid.* 24 to 27.

25 *G.* 2. c. 8. Owners of coal-mines not to employ perſons hired by others, during the time they ſhall be retained. *ibid.* 28.

Mines.

25 *G.* 2. c. 10. Roads to mines to be ſet out and marked by the navigation board. *ibid.* 29.

Satisfaction to be made to the owners of land ſo made uſe of. *ibid.*

29 *G.* 2. c. 12. Colliers not to ſell coals, unleſs purchaſed from the owners.

Penalty for entering into combinations, or not performing articles. *ibid.* 34.

1 *G.* 3. c. 17. Carmen buying coals to procure tickets from the perſons appointed to ſell the ſame. *ibid.* 36.

Forfeiture of coals, horſe, and car, on not producing ſuch tickets. *ibid.*

Abſenting from work, or hiring with others without a diſcharge. *ibid.* 37.

The act 25 *G.* 2. c 8. continued for four years. *ibid.* 39.

3 *G.* 3. c. 16. Two clauſes in the act 1 *G.* 3. c. 17. continued to the 1ſt of May 1766, &c. *ibid.* 40.

Miniſters money.

17 & 18 *C.* 2. c. 7. The lord lieutenant, *&c.* may every three years iſſue a commiſſion to value houſes in cities, *&c.* and purſuant to ſuch valuation to aliot to the miniſters, *&c.* in Dublin, *&c.* 12 d per pound yearly, *&c.* and no houſe to be valued above 60 l. per annum. TITHES, 28.

Mint for Coinage. See Money.

Modus. See Tithes.

Monaſteries.

28 *H.* 8. c. 16 and 23. By theſe acts ſeveral monaſteries and religious houſes are veſted in the King. MONASTERIES, 1.

His patentees to enjoy, and have like remedies. *ibid.* 2.

Leſſees to keep a farm-houſe according to the demeſne, on pain of 20 s. per quarter. *ibid.* 5.

Offences inquired and puniſhed at ſeſſions. *ibid.* 6.

32 *H.* 8 ſeſſ. 2 c. 5 By this act, the diſſolved monaſteries, *&c.* are declared to be veſted in the King. *ibid.* 9.

Voluntarily ſurrendered, or diſſolved, veſted in the King for ever, as amply as abbots, *&c.* held *ibid.*

Abbey-lands, before diſſolution diſcharged of tithes, to continue ſo. *ibid.* 11.

Exempt from viſitation before, within juriſdiction of ordinary, or perſons by King appointed. *ibid.* 13.

Money.

3 *H.* 5. c. 6, 7. Clipping, *&c.* of money, adjudged treaſon, and the juſtices of aſſiſe may determine offences, *&c.* MONEY, 1.

3 *E.* 4. c. 3. *Eng.* Clipped money not to be taken in payment, *&c.* *ibid.* 3.

28 *El.* c. 6. Counterfeiting foreign coin, tho' not current in this kingdom, declared to be high treaſon. *ibid.* 4.

8 *A.* c. 6. Perſons making or aſſiſting in making any inſtrument to coin with, or counterfeiting, *&c.* the current coin of this realm guilty of treaſon, and where offences may be heard, *&c.* *ibid.* 5, *&c.*

Money.

Suſpected money may be cut, and diſputes ariſing, by whom to be heard, and all officers in the revenue are required to deface all bad money, *&c.* *ibid.* 12, 13.

Printed proclamations declaring the rates and value of all coin, *&c.* to be ſufficient evidence on all trials, &c. provided ſuch proclamation agree *verbatim* with the original, &c. *ibid.* 14, 15.

Monks.

9 *W.* 3. ſeſſ. 1. c. 26. All monks, &c. to depart the kingdom before the 1ſt of May 1698, and thoſe returning from tranſportation, guilty of high treaſon. PAPISTS, 20.

Monſtrans de Droit.

10 *W.* 3. ſeſſ. 1. c. 10. Where any office, *&c.* of the lands of felons, &c. ſhall be untruly found, other perſons aggrieved may have his traverſe, or *monſtrans de droit*, without being driven to a petition of right, &c. ESCHEATORS, 13.

Moravians. See Non-conformiſts.

Mortgages.

9 *W.* 3. ſeſſ. 1. c. 26. If any give, &c. a judgment, &c. for ſecuring money borrowed, and ſhall after mortgage his or her lands for more money borrowed from another, and not give notice, &c. of ſuch judgment, &c. and ſhall not in ſix months notice from the mortgagee, diſcharge ſaid mortgage, he, &c. ſhall be barred of the equity of redemption. MORTGAGES, 1.

If mortgagor makes a ſecond mortgage without notice to the firſt mortgagee, he ſhall be barred of all equity of redemption. *ibid.* 2.

The lateſt mortgagee, *&c.* may clear off prior mortgagees, *&c.* but not to bar dower, *&c.* *ibid.* 3, 4.

2 *G.* 1 c. 6. Perſons, &c. being truſt mortgagees for minors, &c. may be compelled by the chancery or exchequer, to convey or aſſign ſuch truſts, &c. INFANTS, 6.

8 *G.* 1. c. 2. If mortgagee of a leaſe being duly ſummoned, do not pay the ſum due to the landlord, *&c.* in nine months after judgment he is barred, and the landlord, *&c.* ſhall hold the premiſſes diſcharged of the mortgage. RENTS, 23.

c. 4. Mortgagees in poſſeſſion 20 years may plead it in bar to any action by the perſon intitled to the equity of redemption. LIMITATIONS, 26.

5 *G.* 2 c. 8. Idiots, *&c.* or the committees being mortgagees, *&c.* may by order of chancery on petition of the *ceſt' qu' truſt*, mortgagor, *&c.* convey, *&c.* ſuch mortgages, &c. to other perſons as ſuch order ſhall direct. IDIOTS, *&c.* 3.

7 *G.* 2. c. 14. Upon bills of foreclоſure filed, *&c.* in the chancery, *&c.* where it appears by affidavit that the neceſſary parties abſcond, *&c.* if in the kingdom, 12 months next before, affidavit of ſervice of the tenants, *&c.* or at laſt place of abode of the party, ſhall be deemed good ſervice. MORTGAGES, 5.

And in like manner ſervice of the *ſubpœna* in any bill

Mortgages.

of foreclosure on the agent, &c. good service, and court to decree, &c. *ibid.* 6.

Upon non-appearance, &c. within 4 terms, the bill to be taken *pro confesso*, &c. and the court shall decree, &c. *ibid.*

If defendant within two years after personal service of the decree, or within seven years from the making, &c. pay, &c. the necessary costs, the court, to proceed and decree *de novo*, as if no former decree. *ibid.* 7.

The plaintiff after bill is taken *pro confesso*, may examine witnesses *de bene esse*, and their depositions if they die shall be allowed, and if the defendant come in, &c. they may be re-examined, &c. *ibid.* 8, 9, 10.

Mortmain.

9 *H.* 3. c. 36. *Eng.* mag. chart. Lands given to religious houses, &c. forfeited, &c. MORTMAIN, 1.

7 *E.* 1. *Eng.* Stat. of mortmain. If lands be alienated in mortmain to a religious person, the King, &c. may enter within a year. *ibid.* 2.

13 *E.* 1. c. 32. *Eng.* Stat. Westm. 2. Where ecclesiastical persons implead, the inquest shall be taken for the county, and in what manner. *ibid.* 3.

18 *E.* 1. Stat. 1. c. 3. *Eng.* *Quia emptores terrarum.* Lands permitted to be purchased by this act, shall not be liable to mortmain. *ibid.* 4.

34 *E.* 1. *Eng.* Stat. of amortising lands. The King's licence to be had for armortising lands, &c. *ibid.* 5.

18 *E.* 3. c. 3. *Eng.* Prelates, &c. not to be impeached for mortmain, on producing the King's licence. *ibid.* 6.

15 *R.* 2. c. 5. *Eng.* It is mortmain if lands be employed to a churchyard without licence. *ibid.* 7.

Murder.

52 *H.* 3. c. 26. *Eng.* Murder not to be so adjudged, where it is found by misadventure, &c. MURDER, 1.

3 *E.* 1. c. 15. *Eng.* Murderers not bailable. BAIL, 1.

4 *E.* 1. *Eng.* Coroners directed by this act to inquire, &c. into the matter of murder, &c. and where persons appear guilty of murder, to inquire what lands, &c. he had, &c. CORONERS, 2.

2 *E.* 3. c. 2. *Eng.* No pardon for murder, &c. to be granted, but where the King may do it, saving his oath, &c. PARDON, 1.

13 *R.* 2. c. 1. *Eng.* Where there is wilful murder, pardon shall not be allowed. *ibid.* 5.

3 *H.* 7. c. 1. *Eng.* Where a person is killed in the day-time, and the murderer escapes, the town to be amerced. MURDER, 3.

Offenders for murder, &c. being indicted to be arrained at any time within the year at the King's suit, &c. *ibid.*

Coroner upon view of the dead body, &c. to inrol and certify the inquisition *ibid.*

4 *H* 7. c. 13. *Eng.* Persons convicted of murder to be marked with an *M* on the brawn of the thumb. CLERGY, 5.

10 *H.* 7. c. 11. If any shall take money for the murder of his friend, he shall have judgment *de vie et de member.* MURDER, 4.

Murder.

c. 21. Murder declared to be high treason in Ireland. *ibid.* 5.

12 *H.* 7. c. 13. *Eng.* Lay persons prepensedly murdering their lord, &c. excluded of clergy. CLERGY, 6.

11 *J.* 1. c. 2. Murders, &c. done on the sea, &c. where to be tried, and persons guilty, excluded from clergy. PIRACY, 1. 3.

Persons stabbing, &c. any person unarmed, guilty of murder, if the person stabbed dies in six months, not to extend to persons killing, &c. in their own defence, or by mischance. MURDER, 6, 7.

6 *A.* c. 4. Mother of a bastard child concealing the death, guilty of murder, unless proved to be dead born. *ibid.* 8.

9 *A.* c. 4. Persons may bring appeal of murder, notwithstanding 10 *H.* 7. c. 21. *ibid.* 9.

c. 6. Witnesses produced on behalf of prisoners on trial for murder, &c. shall be sworn, and if they give false evidence, shall suffer as in wilful perjury. FELONY, &c. 27.

8 *G.* 1. c. 9. Where murder shall be committed in the street of any city, &c. a reward not exceeding 20 l. to be raised by the grand-jury for the person apprehending, &c. *ibid.* 36.

Mute.

11 *J.* 1. c. 5. Clergy is taken away in rape, &c. and offenders standing mute in these crimes shall receive judgment. CLERGY, 7.

9 *W.* 3. sess. 1. c. 11. Persons indicted of offences, &c. excluded the benefit of clergy, if they stand mute, &c. *ibid.* 11.

9 *A.* c. 6. Persons standing mute, or challenging peremptorily above 20 jurors, to suffer as felons, &c. CLERGY, 20.

2 *G.* 1. c. 17. The benefit of clergy is taken away, &c. for standing mute, &c. FELONY, &c. 28.

Mutual Debts.

25 *G.* 2. c. 8. In suits of law where there are mutual debts, in what manner one debt may be set off against another. DEBTS, 1.

National Debt. See Loan.

Naturalization.

25 *E.* 3. stat. 2. c. 1. *Eng.* By this stat. *de natis ultra mare* the King's issue are of ability to inherit in England, wheresoever born, &c. NATURALIZATION, 1.

14 & 15 *C.* 2. sess. 4. c. 13. All alien protestants, merchants, &c. that shall transport their stocks into Ireland, to inhabit there, taking the oaths, &c. shall be deemed natural born subjects, and how many artificers, &c. they may employ, &c. *ibid.* 2, 3.

11 & 12 *W.* 3. c. 6. *Eng.* All natural born subjects may enjoy their titles, though their parents were born out of the King's allegiance. *ibid.* 4.

Naturalization.

7 *A.* c. 5. *Brit.* 4 *G.* 2. c. 21. *Brit.* } The children of natural born ſubjects, whereſoever born, to be deemed natural born ſubjects, except their fathers were attainted of treaſon, *&c.* at the time of their birth. *ibid.* 5, 6, 7, 8.

13 *G.* 2. c. 7. *Eng.* Perſons reſiding for ſeven years in any of the King's colonies, and taking the oaths, *&c.* to be deemed natural born ſubjects, *&c.* and all perſons, except quakers or jews, to receive the ſacrament, and in what form they are to take the oath of abjuration. *ibid.* 9, 10, 11.

A certificate of their reſidence in ſome of the ſaid colonies required, and what offices, *&c.* they are incapable of holding, *&c.* *ibid.* 12, 13.

20 *G.* 2. c. 44. *Brit.* Foreign proteſtants who ſcruple taking an oath, on producing a certificate of their having reſided in one of the colonies, to be deemed natural born ſubjects; provided they receive the ſacrament, *&c.* and how far this act extends to the qualification of foreign proteſtants. *ibid.* 15 to 18.

c. 45. *Brit.* Any perſon born out of the King's allegiance, ſerving three years in any ſhip on the Greenland fiſhery, taking the oaths, receiving the ſacrament, and producing certificates, &c. to be deemed natural born, &c. but not to be a member of parliament, &c. *ibid.* 18, 19.

None to receive the benefit of this act, not intitled to it by 4 *G.* 2. c. 21. *ibid.* 20.

Perſons naturalized abſenting themſelves for more than 12 months at any one time, to loſe the benefit of this act. *ibid.* 21.

25 *G.* 2. c. 39. In what manner title may be derived thro' alien anceſtors. *ibid.* 22, 23.

Navigation. See Ships.

News.

3 *E.* 1. c. 33. *Weſtm.* 1. *Eng.* None to report falſe news, &c. whereby diſcord might ariſe between the King and his people, unleſs he produce his author. News, 1.

2 *R.* 2. c. 5. *Eng.* None to deviſe, &c. lies, &c. of prelates, lords, &c. whereby ſlander, &c. may ariſe. *ibid.* 2.

12 *R.* 2. c. 11. *Eng.* Perſons deviſing falſe news of prelates, &c. to be impriſoned. *ibid.* 3.

New Style. See Calendar.

Niſi prius.

27 *E.* 1. ſtat. 1. c. 4. *Eng.* What time inqueſts, &c. determinable before juſtices of either benches are to be taken, &c. Niſi prius, 1.

Stat. of York, 12 *E.* 2. ſtat. 1. c. 3. *Eng.* In what manner inqueſts and juries in pleas of land that require no great examination are to be taken. *ibid.* 2.

c. 4. *Eng.* Juſtices of *niſi prius* have power to record non-ſuits, &c. in the country, at the days aſſigned, and to report them in the bench, and thereupon judgment ſhall be given. *ibid.* 3.

Niſi prius.

2 *E.* 3. c. 16. *Eng.* 14 *E.* 3. c. 16. *Eng.* } All inqueſts in pleas of land ſhall be taken as well at the requeſt of the tenant, as the demandant, and in what manner to be taken, & c *ibid.* 4, 5.

7 *R.* 2. c. 7. *Eng.* In all pleas where a *niſi prius* is grantable, if a jury be ſummoned, and the parties refuſe a *niſi prius*, it ſhall be granted to any of the jurors, &c. *ibid.* 6.

14 *H.* 6. c. 1. *Eng.* Juſtices of *niſi prius* to give judgment in felony, &c. *ibid.* 7.

10 *C.* 1. ſeſſ. 2. c. 13. The ſheriff on a *niſi prius* on pain of 5 *l.* to return iſſues upon the firſt *diſtringas*, Juries, &c. 21.

17 & 18 *C.* 2. ſeſſ. 2. c. 20. The chief juſtices, and chief baron, &c. may, &c. in term time, &c. try any iſſue joined in the county or city of Dublin, by inqueſt of the ſame, and award writs of *niſi prius*. *ibid.* 8.

Notice of trial to be taken, and tales granted, &c. as in other counties, &c. and the ſheriffs of the city, &c. of Dublin to attend, &c. *ibid.*

All parties, jurors, &c. bound as in other caſes. *ibid.* 12.

8 *G.* 1. c. 6. Writs of aſſiſe, &c. may be executed by the puiſne barons of the exchequer, &c. *ibid.* 9.

Nobility.

2 *E.* 2. c. 5. *Eng.* The action of *ſcandalum magnatum*, may be brought by a peer for ſlander. &c. News, 2.

10 *C.* 1. ſeſſ. 3. c. 21. Nobility of Ireland reſiding in England, &c. ſubject to taxes. Parliament, 19.

Non-claim. See Fines.

Non Compos. See Idiots.

Nonconformists.

4 *G.* 1. c. 5. The oath required by this act to be taken by perſons diſſenting from the church of Ireland, and in what manner to be regiſtered, and penalty on ſuch perſons aſſembled at any religious worſhip, having the door ſhut, &c. and nothing in this act to prevent their paying tithes, &c. Nonconformists, 1, 2, 3.

When ſuch perſons are appointed high conſtables, &c. they may appoint deputies who are to be qualified, and in what manner, and not obliged to ſerve in ſuch office twice ſucceſſively, and taking the oaths, *&c.* diſcharged from all penalties, and may enjoy all privileges, *&c.* ſuch oath to be regiſtered, *&c.* *ibid.* 4, 5, 6, 7, 8.

What other privileges are granted to ſuch perſons, by this act, and penalty on any diſturbing their congregations, *&c.* *ibid.* 9. to 18.

6 *G.* 1. c. 6. Quakers may anſwer bills in chancery, *&c.* by affirmation, and none to be deemed quakers until they produce certificates of their being ſo for three years before. *ibid.* 18, 19.

19 *G.* 2. c. 18. Affirmation of quakers allowed in all caſes inſtead of an oath, and affirming falſely, is perjury, *&c.* *ibid.* 20, 21.

Nonconformists.

No quaker to give evidence in criminal cases, nor serve on juries, &c. and none to be deemed quakers, but such as are so for one year before, and this act to be deemed public. *ibid.* 22, 24, 25.

22 *G.* 2. c. 30. *Brit.* What oath to be taken by any member of the protestant united brethren, and swearing false is declared perjury, and such persons to give evidence in criminal cases, or serve on juries, and what proof required of their qualification. *ibid.* 26 to 30.

The advocate of the church required to lay before the commissioners for trade, lists of all their bishops, who are to appoint pastors and this act public. *ibid.* 31, 32.

Nonjurors. See Oaths.

Non-plevin.

9 *E.* 3. c. 2. *Eng.* None shall lose their lands by reason of *non-plevin.* Non-plevin.

Non suit.

2 *H.* 4. c. 7. *Eng.* Plaintiffs shall not be non-suit, if the verdict pass against him, &c. Non-suit.

10 *C.* 1. sess. 1. c. 17. The defendant to have his costs at the discretion of the court, in actions of unlawful entries into lands, debt, &c. on nonsuit, &c. Damages, 5, 6.

7 *W.* 3. sess. 1. c. 22. Where the plaintiff in replevin shall be non-suit before issue joined, the avowant, &c. shall have a writ of inquiry to the sheriff, &c. Avowry, 9.

Non Tenure.

25 *E.* 3. Stat. 5. c. 16. *Eng.* Writ shall not abate by exception of *non tenure* of parcel, &c. Pleadings, 4.

Notes, See Bills, &c.

Novel Disseisin.

9 *H.* 3. c. 12. *Eng. Novel disseisin*, &c. to be taken in the proper county by justices, &c. Assise, 1.

3 *E.* 1. c. 47. Stat. *West.* 1. *Eng.* Nonage of the heir of a disseisor, &c. where a writ of *novel disseisin* is purchased, shall not prejudice in assise. Infants, 2.

—— c. 51. *West.* 1. *Eng.* Assise of *novel disseisin*, &c. to be taken in *Septuagesima*, &c. Holydays, &c. 1.

6 *E.* 1. c. 1. *Eng.* Damages are given in assise of *novel disseisin* against the disseisor, &c. Damages, &c. 1.

11 *H.* 4. c. 3. *Eng.* Justices of assise to cause all records of *novel disseisin* to be delivered into the king's treasury, &c. Records, 3.

11 *H.* 6. c. 3. *Eng.* In all writs grounded upon *novel disseisin*, disseisees may have recoveries against the disseisors or their feoffors, &c. Frauds, &c. 3.

Nuncupative Wills.

7 *W.* 3. Sess. 1. c. 12. No nuncupative will, exceeding 30 *l.* shall be good, unless proved by 3 witnesses, &c. Wills, 7.

Nuncupative Wills.

No probate, &c. thereof shall be admitted after six months, unless reduced into writing in six days, &c. *ibid.* 8.

No probate of nuncupative wills, shall be granted before fourteen days after the death of such testator, &c. *ibid.* 9.

6 *A.* c. 10. Persons who ought to be allowed as witnesses on a trial at law shall be good witnesses to a nuncupative will. *ibid.* 13.

Nusances.

5 *G.* 3. c. 15. No person to lay dung, rubbish, &c. before their houses, &c. Nusances, 1.

Streets to be swept and cleansed every day before 9 in the morning. *ibid.* 3.

Scavangers to carry away the dirt 3 times a week. *ibid.* 4.

Any person may carry away (for their own use) any dung, &c. laid in streets. *ibid.* 5.

Oaths.

3 & 4 *W.* & *M.* c. 2 *Eng.* The oath of supremacy appointed by 2 *E. Eng.* abolished. Oaths, 1.

The oaths of allegiance, &c. to be taken, and by whom, &c. persons refusing to be deprived, &c. *ibid.* 2, 3.

Peers, &c. not to vote, &c. before they take the oaths, &c. *ibid.* 4.

Penalty, &c. on persons, &c. refusing the oaths. *ibid.* 5.

The form of the oath of supremacy and allegiance. *ibid.* 6.

Penalty on persons above 18 years old refusing, &c. to take the oaths, &c. *ibid.* 7.

1 *A.* Stat. 2. c. 17. *Eng.* Persons that shall bear any office civil or military under her Majesty in Ireland, and all ecclesiastical persons, lawyers, &c. shall take the oath of allegiance, &c. and on neglect shall incur the penalties in 13 *W.* 3. c. 6. *viz.* shall be *ipso facto* incapable to enjoy the office, &c. *ibid.* 8, 9.

Not to extend to any person that shall be in England, so that he take the oath in England; upon tender of the oath the courts are required to administer it, the like register to be kept as by 25 *C.* 2. c. 2. Persons who by neglect, according to this act, lose any office, may be capable of a new grant, &c. No peer or commoner shall sit, &c. in the house, until he has taken the oath, under the penalties in 13 *W.* 3. c. 6. &c. *ibid.* 10, 11, 12, 13, 14.

—— c. 32. *Eng.* Persons injoined to take the oath of allegiance, shall take the oath of supremacy, &c. Papists, 35.

2 *A.* c. 6. None to take benefit as a protestant till he take the oath, &c. appointed by this act. *ibid.* 55.

All persons in employment, &c. to take the said oaths, &c. on default incapable, &c. Oaths, 16.

Oaths.

Disability on persons executing offices not having taken said oaths, &c. *ibid.* 17.

Names of all the persons to be put in a roll, and the courts to administer the oaths, &c. *ibid.* 18, 19.

Persons forfeiting by neglect, may on a new grant qualify themselves. *ibid.* 20.

Not to extend to persons out of the kingdom, &c. *ibid.* 21.

8 *A.* c. 3. No papist convert, to be deemed a protestant till he, &c. take the oaths, &c. PAPISTS, 81.

None shall be qualified to be a schoolmaster, &c. unless he take the oaths, &c. *ibid.* 86.

Any two justices of peace may summon any man above 16 years to take the oath of abjuration. *ibid.* 93.

1 *G.* 1. *c.* 13. *Brit.* The form of the oath of abjuration to be taken by all persons that shall bear any office civil or military, &c. OATHS, 22.

Persons forfeiting an office by neglect, may have a new grant on taking the oaths, &c. *ibid.* 23.

Nothing in this act shall take away an office of inheritance, &c. if the deputy qualify himself according to 25 *C.* 2. c. 2. &c. not to extend to the office of tithing man, &c. *ibid.* 24, 25.

All who are obliged to receive the sacrament, &c. shall also take the oaths appointed by this act, provided that any person who become popish recusants convict, and take the oaths, shall be discharged from such conviction. *ibid.* 26, 27.

The oath of abjuration, &c. in this act, shall be taken in lieu of the abjuration, &c. formerly appointed *ibid.* 28.

The oath of abjuration, &c. shall be taken in Ireland, and the indemnities are extended to Ireland. *ibid.* 29.

2 *G.* 1. c. 9. Every justice of peace may tender the oath of abjuration to papists or suspected persons. MILITIA, 7.

4 *G.* 1. c. 3. Oath appointed in the act of explanation and part of the declaration appointed by the 17 & 18 *C.* 2. c. 6. relating to taking arms against the king taken away. SERVICE, &c. 74.

6 *G.* 1. c. 5. The stat. 2 *E.* not to extend to protestant dissenters, who shall take the oaths, &c. NONCONFORMISTS, 1.

——c. 9. An act to indemnifie persons not taking the oaths, &c. pursuant to 2 *A.* c. 6. &c. OATHS, 20.

Certificates of officers of oaths taken, &c. sufficient evidence. *ibid.* 31.

1 *G.* 2. c. 2. Persons appointed to offices taking the oaths, &c. in the same term or quarter-sessions during which they shall be admitted to such offices, shall be adjudged to have taken the said oaths, &c. as effectually as if they had taken such oaths, &c. the term, &c. after their admission. *ibid.* 33.

5 *G.* 3. c. 2. Indemnification of persons who have neglected to qualify, provided they take the oaths before the 25th March, 1753. *ibid.* 34, 35, 36, 37.

6 *G.* 3. c. 53. *Brit.* The oath of abjuration altered, and a new oath appointed. *ibid.* 38.

Oblations. See Tithes.

Obligation.

31 *H.* 6. c. 9. *Eng.* Obligations, &c. taken from woman by force, &c. on account of marriag eshall be void WOMEN, 1.

3 *G.* 2. c. 4. Persons forging, &c. any writing obligatory, &c. deemed guilty of felony, &c. FORGERY, 14.

Occupancy.

7 *W.* 3. Sess. 1. c. 12. Estate *pur auter vie* is deviseable, and if no devise made, it shall be chargeable as asset by descent in the hands of the heir, who has it by occupancy, &c. LIFE ESTATES, 4.

Offerings.

33 *H.* 8. Sess. 1. c. 12. All persons shall pay offerings, &c. according to the custom and usage of the parish. TITHES, 7.

Officers.

1 *R.* 2. c. 2. *Eng.* The chancellor, &c. called to name justices of peace, &c. nor to ordain any officer for any gift, &c. OFFICERS, 1.

2 *H.* 6. c. 10. *Eng.* All officers made by the king's letters patent within his courts, to be sworn to appoint such clerks, &c. as they will answer for. *ibid.* 2.

10 *H.* 7. c. 2. The chancellor, &c. shall have their patents but during the king's pleasure. *ibid.* 3.

24 *G.* 2. c. 23. *Brit.* Assemblies for electing officers and days for their entring on the execution of their offices to be according to the new calendar. CALENDAR, 1.

Orchards.

10 *C.* 1. Sess. 2. c. 23. Persons robbing orchards, &c. being convicted before a justice of peace shall make satisfaction to the party, &c. TRESPASS, 2.

Ordinary.

13 *E.* 1. c. 19. *West.* 2. *Eng.* Where an intestate dies in debt, and the goods come to the ordinary to be disposed of, the ordinary shall satisfy the debts, &c. as an executor would do. ORDINARY, 1.

——Stat. 3. c 9. *Eng.* Justices shall not impeach ordinaries, &c. of general extortions, unless they put in certain in what manner, &c. they have exercised extortion or oppression. *ibid.* 2.

Ordination. See Service and Sacraments.

Otters, Se Vermin.

Ousterlemain.

14 & 15 *C.* 2. Sess. 4. c. 19. Courts of wards and liveries, *premier seisins, ousterlemains*, &c. are taken away. TENURES, 5.

Outlawry.

3 *E.* 1. c. 15 *Weſt.* 1. *Eng* Perſons outlawed not bailable, *&c.* BAIL, 1.

5 *E.* 3. c. 12 *Eng.* Where the plaintiff recovers damages, and the defendant is outlawed, no pardon ſhall be granted till the defendant is ſatisfied. OUTLAWRY, 1.

——c. 13. *Eng.* If any will defeat outlawry pronounced upon him, he ſhall yield himſelf to priſon, *&c. ibid.* 2.

18 *E.* 3. Stat. 1. *Eng.* Againſt receivers of the king's money which are detained, *&c.* and againſt them which bring falſe money to the deceit of the people, *&c.* in caſe they cannot be brought to anſwer, *&c. exigent* ſhall be given. *ibid.* 3.

——Stat. 2. c. 5. *Eng.* No *exigent* ſhall go where a man is indicted for treſpaſs, if it be not againſt the peace, *&c. ibid.* 4.

25 *E.* 3. Stat. 5. c. 17. *Eng.* Like proceſs ſhall be made in writ of debt, *&c.* by writ of *capias* and *exigent* as is uſed in writ of account. *ibid.* 5.

1 *H.* 5. c. 5. *Eng.* Outlawries otherwiſe proſecuted than directed by this act to be void, *&c.* ADDITIONS, 1.

28 *H.* 8. c. 7. *Eng.* Outlawries for treaſon againſt perſons out of the realm, to be as effectual as if they were reſident therein. TREASON, 9.

11 *J.* 1. c. 8. ſect. 1. In every action perſonal, wherein writ of *exigent* ſhall be awarded, writ of proclamation ſhall be made out, *&c.* OUTLAWRY, 6.

Before outlawry ſhall be reverſed for want of proclamation, according to this ſtatute, the defendants in original actions ſhall put in ſufficient bail, *&c. ibid.* 7.

Attorneys iſſuing writs of *exigent* without proclamation, *&c.* ſhall forfeit 40*s.* for every writ ſo iſſued, *&c. ibid.* 8.

6 *A.* c. 15. No *quinto exactus* ſhall be returned by any coroner upon the *exigent*, *&c.* until by affidavit of 2 credible witneſſes it appear that proclamations, according to 11 *J.* 1. c. 8. have been made, and ſuch affidavit ſhall with the *exigent* be returned by the coroner to the clerk of the outlawries to be filed, *&c. ibid.* 9.

Every ſheriff to whom ſuch writs of proclamation are directed, ſhall duly execute the ſame, *&c. ibid.* 10.

Every declaration filed by plaintiffs, *&c.* after reverſal thereof and entering bail, *&c.* as by 11 *J.* 1. c. 8. is preſcribed, ſhall be for the ſame clauſe contained in ſuch writs of proclamation, *&c. ibid.*

The declaration after the outlawry reverſed, muſt be for the ſame ſum, *&c.* in the proclamation, *&c. ibid* 12.

All outlawries contrary to this act are void, &c. *ibid.* 14.

Oyer and Terminer.

13 *E.* 1. c. 29. *Stat. Weſt.* 2. *Eng.* The writ of treſpaſs to hear and determine ſhall not be granted before any juſtices, except the juſtices of both benches, and juſtices in eyre, &c. OYER, &c. 1.

10 *C.* 1 Seſſ. 1. c. 14 No oyer and terminer, &c. ſhall be diſcontinued by a new commiſſion, &c. DISCONTINUANCE, 7.

1 *A.* c. 8. *Eng.* Commiſſion of aſſiſe, oyer and terminer, &c. to continue in force for 6 months after the king's death. KING, &c. 34.

3 *G.* 2. c. 15. The king's bench, &c. to be both in the city and county of Dublin, for trial of criminals, &c. by commiſſioners of oyer and terminer, &c. OYER, &c. 2.

All officers of juſtice, *&c.* of the county of the city of Dublin, and county of Dublin, &c. if ſummoned, ſhall attend commiſſions of oyer and terminer &c. *ibid.* 3.

The gaol of Newgate in the county of the city of Dublin, ſhall be deemed to be a gaol for the county of Dublin likewiſe, *&c. ibid.* 4.

The commiſſioners for the counties reſpectively may execute all the powers, &c. as commiſſioners of oyer and terminer, &c. might execute within the reſpective counties before the making this act, &c. *ibid.* 5.

Oyſters.

7 *G.* 2. c. 11. From the 1ſt of May to the 20th of Auguſt, yearly, none ſhall drug for oyſters, on pain of 40*s.* &c. FISH, &c. 43.

Packets.

33 *G.* 2. c. 10. Packet-boats importing or exporting goods, the penalty. PACKET-BOATS.

Papiſts.

7 *W.* 3. Seſſ 1. c. 4. What diſſabilities perſons are liable to, who ſend their children abroad to be trained up in popery. PAPISTS, 1.

Juſtices of peace upon information may cauſe ſuch perſons to be brought before him, and examine them, *&c.* and bind them under what penalties, *&c.* and where appeal may be brought. *ibid.* 2, 3.

The abſence of ſuch perſons to be ſufficient proof on any trial, of their being ſent abroad for foreign education, if they prove not the contrary, and perſons returning from abroad taking the oaths in 6 months after their return diſcharged from diſabilities, *&c.* provided they do not refuſe them after. *ibid.* 4, 5, 6.

Offences may be determined in the king's bench, aſſies, *&c.* but acquittal at ſeſſions or on appeal to the aſſiſes is a bar to further proſecutions. *ibid.* 7, 8.

Penalty on papiſts teaching ſchool, *&c. ibid.* 9.

Papiſts to deliver up their arms and to whom, *&c.* and juſtices of peace to iſſue ſearch warrants, and when ſearches, *&c.* are to be made, *&c. ibid.* 10, 11.

Penalty on refuſing, *&c.* to deliver up the arms, *&c. ibid.* 12.

Lord deputy, *&c.* may licenſe papiſts to carry arms, *&c. ibid.* 13.

Penalty on makers of locks, *&c.* taking papiſt apprentice, *&c.* and penalty on ſuch apprentices, *&c.* practiſing the trade, *&c ibid.* 14, 15.

Any proteſtant, *&c.* tendering 5*l.* 5*s.* for any horſe, *&c.* in poſſeſſion of a papiſt, ſhall have the property, and papiſts prohibited to keep cattle of that price. *ibid.* 16.

Penalty on concealing ſuch horſes, *&c.* and refuſing to take the oaths. *ibid.* 17.

Perſons

Papists.

Perſons refuſing the oaths tendered by any juſtices of peace deemed papiſts. *ibid.* 18.

Penalty on juſtices of peace refuſing to execute this act. *ibid.* 19.

9 *W.* 3. c. 26. All popiſh biſhops, *&c.* in what time to depart the kingdom. Thoſe found after, *&c.* to be tranſported, *&c.* *ibid.* 20.

Penalty, *&c.* on any popiſh archbiſhop, *&c.* coming into this kingdom. *ibid.* 21.

Penalty on perſons concealing, *&c.* ſuch biſhops, *&c.* *ibid.* 22, 23.

From whom appeal lies, *&c.* and juſtices of peace to iſſue their warrants for apprehending popiſh biſhops, *&c.* *ibid.* 24.

The duty of juſtices of peace on this act, and penalty on their neglecting or refuſing, *&c.* *ibid.* 25, 26, 27.

1 *A.* c. 32. *Eng.* Papiſts being 18 years old, and not taking the oaths, are incapable of inheriting any of the forfeited eſtates in Ireland purchaſed from the truſtees, *&c.* *ibid.* 28, 32.

Papiſts are diſabled from purchaſing any forfeited lands, *&c.* *ibid.* 29.

Leaſes for lives, *&c.* of ſuch lands taken in truſt for papiſts void, and not to extend to cottages for labourers. *ibid.* 30, 31, 32, 33, 34.

All acts relating to forfeited eſtates in Ireland, which injoin perſons to take the oaths of allegiance, ſhall alſo oblige them to take the oath of ſupremacy. *ibid.* 35.

If more than 2 acres, *&c.* ſhall be let with any cottage to a day-labourer, *&c.* the leaſe ſhall be void, and the occupier ſhall forfeit treble the yearly value. *ibid.* 36, 37.

2 *A.* c. 3. Popiſh clergymen coming into this kingdom, *&c.* ſubject to penalties. *ibid.* 38.

Civil officer to apprehend ſuch popiſh prieſts, penalty, *&c.* on juſtices of peace neglecting, *&c.* *ibid.* 39, 40.

Such popiſh clergyman returning, may be tried in any county. *ibid.* 41.

——c. 6. Perſons ſeducing proteſtants to become papiſts, both ſhall incur a *premunire*, *&c.* *ibid.* 42.

If any papiſt ſend, *&c.* any children under 21 years of age, *&c.* into France, *&c.* without licence, he ſhall incur the penalties directed by 7 *W.* 3. Seſſ. 1. c. 4. *ibid.*

Juſtices of peace, *&c.* may ſummon the parents of children ſuſpected to be ſent beyond ſeas, and require the child to be produced in 2 months, and may bind ſuch parents to the ſeſſions, *&c. &c.* *ibid.* 43.

Court of chancery may on complaint, *&c.* make an order for the maintenance, *&c.* of any child, of popiſh parents embracing the proteſtant religion, *&c.* *ibid.* 44.

If the ſon and heir of a papiſt become a proteſtant, *&c.* the reverſion in fee ſhall be in ſuch ſon, ſubject to juſt debts, *&c.* *ibid.*

Diſtinct rolls to be kept in chancery for the inrolment of certificates of converts. *ibid.*

No papiſt ſhall be guardian, *&c.* on pain, *&c.* *ibid.* 45.

Where the father or mother is a proteſtant, the chancery may order the education of their children. *ibid.*

Papists.

Papiſts diſabled to purchaſe any lands, *&c.* except terms for 31 years, and two thirds of the improved rent to be reſerved, *&c.* *ibid.* 46.

No papiſt of the age of 18 years ſhall take the profits by deſcent, *&c.* of any lands, *&c.* whereof a proteſtant is, *&c.* ſeized, the freehold of which is to come to the ſon, *&c.* of ſuch papiſt, unleſs he become a proteſtant, and in what time. *ibid.* 47.

The next proteſtant relation, and under what reſtrictions, ſhall enjoy ſuch lands, &c. *ibid.*

Children of papiſts deemed papiſts till they conform. *ibid.*

Any papiſt becoming a proteſtant may enjoy lands, &c. and demiſe for 21 years at the improved rent, *&c.* *ibid.* 48.

Diſabled papiſt may bring an action for wilful waſte. *ibid.*

No bar of dower to a proteſtant wife. *ibid.* 49.

The lands, &c. of papiſts ſeized in fee ſimple, &c. ſhall deſcend in gavelkind to his iſſue, &c. alienations *bona fide* in his life excepted, ſubject to portions, &c. *ibid.* 50, 51.

In what caſe, &c. the eldeſt ſon of ſuch papiſt ſhall have the whole real eſtate ſubject to debts. *ibid.* 52, 53.

Incumbrance on the eſtate of a papiſt when to be inrolled in the exchequer, and in default ſhall not be charged, &c. in the hands of a proteſtant. *ibid.* 54.

None to take benefit as a proteſtant that does not conform, &c. *ibid* 55.

No papiſt to take a houſe, &c. in Limerick or Galway, except for fiſhermen, of 40s. *per ann.* *ibid.* 56.

No papiſt to vote for or ſerve as a member of parliament. *ibid.* 57.

Advowſons of papiſts veſted in the crown till they, &c. become proteſtants. *ibid.* 58.

Penalty on perſons making pilgrimages to St. Patrick's Purgatory, &c. *ibid.* 59.

Penalty on perſons building booths, &c. at wells, and magiſtrates to demoliſh croſſes, &c. *ibid.* 60.

Nothing in this act to prohibit ſeamen, fiſherman, or day-labourers from holding houſes in Galway or Limerick, not paying rent above 40s. *per ann.* *ibid.* 61.

——c. 7. Penalty *&c.* on popiſh prieſts not regiſtering, &c. and in what time, &c. and this act to be given in charge at aſſiſes. *ibid* 62 to 67.

4 *A.* c. 2. Popiſh prieſts found in this kingdom not regiſtered in purſuance of the 2 *A.* c. 7. to be ſubject to the penalties on popiſh biſhops, and penalty on concealers, &c. *ibid.* 67, 68.

Juſtices of peace neglecting to execute this act, to forfeit 50l. *ibid.* 69, 70.

8 *A.* c. 3. Papiſts diſabled to take annuities for life, *&c.* but may have judgment againſt the perſonal eſtate for ſuch annuities. *ibid.* 71, 72.

Where child of a papiſt conforms, *&c.* the chancery may make orders for the maintenance, *&c.* of ſuch child, *&c.* *ibid.* 73.

Fines, *&c.* by papiſts ſince January 1703, to bar a proteſtant, *&c.* void, except conveyances and mortgages *bona fide*, proteſtant in remainder to have equity of redemption, *&c.* *ibid.* 74 to 79.

Papiſts.

This act not to extend to lands ſettled, &c. *bona fide*, after the 1ſt of September 1703, and before the 25th of March 1704. *ibid.* 80.

No popiſh convert to be deemed a proteſtant till he receive the ſacrament, &c. *ibid.* 81.

Diſability on converts in offices not breeding their children above 14, proteſtants at the time of conforming, but not to extend to conſtables. *ibid.* 82, 83.

Court of chancery may carry the power of a papiſt reſerved to make a jointure into execution, if the widow become a proteſtant. *ibid.* 84.

Proteſtant widow of a papiſt may have a third of the inheritance, &c. of her popiſh huſband, &c. not being otherwiſe provided for. *ibid.* 85.

Penalty on papiſts teaching ſchool, and on perſons employing them, &c. and this act made perpetual. *ibid.* 86, 87.

If a prieſt keep a curate, they ſhall be both proſecuted as regulars. *ibid.* 88.

Reward for apprehending popiſh archbiſhops, &c. exerciſing any foreign eccleſiaſtical juriſdiction, and for regular and ſecular clergy not regiſtered. *ibid.* 89.

Two juſtices of peace, *quorum unus*, may, &c. examine any papiſt above 16 years, where he heard maſs, &c. Penalty on refuſing to appear, &c. examinations, &c. ſhall be for ſuch offences only as were committed 30 days before, &c. *ibid.* 90, 91.

Regiſtered prieſts to take the oath of abjuration before 1710, or to incur the penalties of a regular. *ibid.* 92.

Any two juſtices may ſummon any man above 16, to take the oath of abjuration. Penalty, &c. on refuſal of any but Quakers. *ibid.* 93, 94.

Popiſh prieſts not to officiate but in the pariſh where regiſtered. *ibid.* 95.

Any collateral ſecurities, &c. made, &c. to make good any leaſe, &c. to a papiſt contrary to 2 *A.* c. 6. void, and any proteſtant may ſue for the ſame, &c. *ibid.* 96.

Papiſts who purchaſed any lands, &c. except thoſe ſold by the truſtees, who became proteſtants before 1709, indemnified. Proteſtant purchaſers *bona fide* not prejudiced. *ibid.* 97, 98.

How any proteſtant may proceed for diſcovery of any ſale, &c. againſt any perſon privy to any truſt for a papiſt. *ibid.* 99.

Biſhops, &c. offending, to be tranſported, &c. *ibid.* 100.

Collector on pain of 30l. not to diſcharge a ſhip till the maſter, &c. conſent to take ſuch biſhop, &c. on board to be tranſported, and in ſuch caſe what the collector is to pay, &c. and penalty on merchants, &c. refuſing, &c. *ibid.* 101, 102.

The maſter to enter into recognizance, &c. to tranſport them, &c. Perſons found out of the cuſtody of the maſter ſhall be puniſhed, &c. as if returned. *ibid.* 103.

Stud mares, &c. in poſſeſſion of papiſts, excepted out of the act 7 *W.* 3. c. 5. except in caſe of an invaſion, &c. *ibid.* 104.

What a papiſt muſt pay when a horſe, &c. ſeized from him is returned. *ibid.* 105.

No papiſt, except in caſe of the linen manufacture, ſhall take above two apprentices, and for what term. *ibid.* 106.

Papiſts.

6 *G.* 1. c. 6. Children of papiſts in what caſe to be deemed proteſtants. *ibid.* 107, 108.

1 *G.* 2. c. 10. A convert, &c. applying to be called to the bar muſt prove, &c. he has been a proteſtant two years next before. *ibid* 109.

All perſons converted, &c. to breed their children proteſtants, &c. or be liable to diſabilities. *ibid.* 110, 111, 113.

None to be a ſub-ſheriff who was not a proteſtant for 5 years before. *ibid.* 112.

A ſaving for papiſts compriſed in the articles of Limerick, &c. *ibid.*

7 *G.* 2. c. 6. None who is or ſhall be converted from the popiſh religion, ſhall be a juſtice of peace, whoſe wife is or ſhall be a papiſt, &c. on pain, &c. *ibid.* 114.

13 *G.* 2. c. 6. All magiſtrates required to exerciſe the powers of 7 *W.* 3. c. 5. and all papiſts required to give up their arms, &c. and in what caſe the examination ſhall not be evidence. *ibid.* 115, 116, 117, 118.

Juſtices of peace, &c. required to tender the oath of abjuration to perſons brought before them for offences againſt this act, and refuſal of ſuch oath to be ſufficient proof of the perſons being papiſts, &c. and their taking ſuch oath not to affect any proſecution againſt them. *ib.* 119, 120.

Penalty on ſheriffs not returning a calendar to the juſtices of aſſiſe of all perſons convicted. *ibid.* 122.

Proceedings againſt papiſts for keeping arms. *ibid.* 123 to 131.

Pardon.

2 *E.* 3. c. 2. *Eng.* In what caſes murder pardonable, &c. PARDON, 1.

10 *E.* 3. c. 3. *Eng.* Perſons pardoned to find ſurety, &c. *ibid.* 2.

In a pardon the offences, &c. ſhall be ſpecified. No pardon of treaſon, &c. to paſs without warrant of the privy ſeal. If the offence ſhall be found wilful murder, pardon ſhall not be allowed. *ibid.*

14 *E.* 3. c. 15. No pardon of the death of a man, &c. ſhall be granted, but where the King may do it, ſaving the oath of his crown. *ibid.* 3.

27 *E.* 3. c. 2. *Eng.* } The ſuggeſtion to be contained in all
13 *R.* 2. c. 1. *Eng.* } charters of pardon. *ibid.* 4, 5.

5 *H.* 4. c. 2 *Eng.* Perſons once indicted for felony, &c. and once pardoned, not to have a ſecond pardon. *ib.* 6.

Pariſh-ceſſes.

5 *G.* 3. c. 14. Veſtries in cities, &c. may aſſeſs money for paving, cleanſing and lighting the ſtreets. PARISH-CESSES, 1.

Appointment of applotters and collectors. *ibid.* 2.

Directors and overſeers, their ſalaries. *ibid.* 3.

Oath to be taken by perſons voting at ſuch veſtries. *ibid.* 4.

Pariſh Clerks.

7 *G.* 2. c. 7. The pariſh clerk may by complaint in writing recover the dues payable to him by law from the pariſhioners,

Pariſh Clerks.

riſhioners, as directed by this act. PARISH CLERKS, 1.

23 *G.* 2. c. 12. What ſums ſhall be allotted for the maintenance of pariſh clerks, and how to be applotted, and clerks to receive no ſalary, pariſh clerks in Dublin, and the ſuburbs, excepted. *ibid.* 2.

Tranſcript of applotment to be delivered to pariſh clerks. *ibid.* 2 to 7.

33 *G.* 2. c. 11. The act 23 *G.* 2. c. 12. continued to the 24th of May, 1767. *ibid.* 7.

Time limited for holding veſtries. *ibid.* 8.

Sums to be aſſeſſed for the ſalaries of clerks. *ibid.*

Money, after applotment, to be levied by the church-wardens. *ibid.*

Church wardens, on failure or refuſal to collect, may be ſued by civil-bill. *ibid.*

Clerks of chapels of eaſe to be provided for as pariſh-clerks. *ibid.* 9.

Parliament.

7 *H.* 4. c. 15. *Eng.* This act directs the manner of electing knights of the ſhires, &c. PARLIAMENT, 1.

8 *H.* 6. c. 7. *Eng.* In what manner elections of knights of the ſhires to be made, penalty on ſheriffs acting contrary. *ibid.* 2.

10 *H.* 6. c. 2. *Eng.* Electors of members ſhall have 40 s. *per ann.* freehold, beyond repriſes. *ibid.* 3.

23 *H.* 6. c. 11. *Eng.* This ſtatute was made for aſſeſſing allowance for members of parliament, and a writ for that purpoſe was directed to the ſheriff. *ibid.* 4 to 7.

After receipt of the writ, the ſheriffs to deliver precepts to every mayor, &c. commanding them to make election of members, and in what manner. Penalty on head officer and ſheriff, &c. offending, &c. and how recoverable. *ibid.*

25 *H.* 6. c. 8. *Eng.* No lords of parliament to be amerced in pleas, &c. *ibid.* 7.

3 *E.* 4. c. 1. Lords, &c. of parliament to be privileged againſt actions 40 days before and after the parliament finiſhed. *ibid.* 8.

10 *H.* 7. c. 4. No parliament to be holden in Ireland till the cauſe be firſt certified, *&c.* to the King, *&c.* *ibid.* 9.

c. 16. Penalty on lords ſpiritual, *&c.* not appearing in their robes, *&c.* *ibid.* 10.

28 *H.* 8. c. 12. Proctors ſhall be no members of parliament. *ibid.* 11.

Any perſon endeavouring to annihilate the ordinances, *&c.* of parliament, to be reputed as a felon, and ſuffer as ſuch. *ibid.* 12.

All acts for the King's revenues to ſtand good. *ibid.* 13.

33 *H.* 8. ſeſſ. 2. c. 1. All ſtatutes made for reſtraining parliaments, to be held any where but at Dublin or Drogheda, and reſtraining the proroguing of parliaments, *&c.* void. *ibid.* 14.

Members of parliament to be reſident where choſen. *ibid.* 15.

Penalty on electors not having 40 s. *per annum* freehold voting for members of parliament. Penalty on ſheriffs, *&c.* returning members otherwiſe, and on party returned. *ibid.*

Parliament.

11 *El.* ſeſſ. 3. c. 8. All acts made in this parliament under the great ſeal of England, confirmed. *ibid.* 34.

Any act to be paſſed touching the repeal of 10 *H.* 7. c. 4. ſhall be void. *ibid.* 18.

10 *C.* 1. ſeſſ. 3. c. 21. Lords of Ireland reſiding in England, ſhall have a voice in the Iriſh parliament, *&c.* *ibid.* 19.

10 & 11 *C.* 1. ſeſſ. 4. c. 12. If defendant in execution be enlarged by privilege of parliament, the plaintiff when privilege is out, may ſue another execution. *ibid.* 20.

7 *W.* 3. ſeſſ. 1. c. 3. All the rolls, *&c.* of laſt parliament to be cancelled. Penalty on officers concealing them. *ibid.* 21.

All acts of attainder, *&c.* declared void from the beginning. *ibid.* 22, 23.

6 *A.* c. 8. Privilege of parliament ſhall begin 40 days before and after the ſeſſions or prorogation, *&c.* *ibid.* 26.

In what caſes privilege ſhall not work any diſcontinuance. *ibid.*

No privilege allowed againſt diſtreſs on the chattles of any member of parliament for arrears of rent. *ibid.* 28.

No privilege for truſtees, &c. in actions againſt them as ſuch. *ibid.* 29.

No privilege allowed againſt the debt of the crown, but the perſons not to be arreſted in privilege time. *ibid.* 30.

2 *G.* 1. c. 19. All conveyances made to qualify a perſon to vote, ſhall be abſolute, *&c.* Penalty on donor and donee voting. *ibid.* 31.

Penalty on any voting by virtue of any freehold not in poſſeſſion, &c. 6 months before the election, unleſs, &c. it came to him by deſcent, &c. *ibid.* 32.

Freeholders, if required, to take the oath, &c. *ibid.* 33.

Sheriff, &c. to adminiſter ſaid oath. Perjury therein to be puniſhed, &c. *ibid.*

The places of the voters freehold, &c. to be entered. *ibid.* 34.

The poll for the ſhire and county of Dublin, where to be held, ſheriff not to adjourn without conſent, &c. *ibid.* 35.

Where the right of election is in the inhabitants, none ſhall have a vote that was not an inhabitant, continuing 6 months before the *teſte* of the writ. *ibid.* 36.

Penalty on papiſt voting, unleſs he hath taken the oaths, &c. *ibid.* 37.

No candidate after the *teſte* of the writ to give any reward, &c. to any perſon, &c. *ibid.* 38.

8 *G.* 1. c. 2. In what caſes privilege of parliament ſhall not ſtand. *ibid.* 39.

1 *G.* 2. c. 7. In what caſe the parliament ſhall not be diſſolved. *ibid.* 40.

Parliament after demiſe of a King, &c. may immediately after meet, and act for 6 calendar months, &c. *ibid.* 41, 42, 43.

c. 8. Privilege of parliament in all actions abridged to 14 days, but the bodies privileged, *&c.* and the parties may proceed on the proceſs, *&c.* *ibid.* 44, 45.

Privilege of parliament ſhall work no non-ſuit, *&c.* *ibid.* 46, 47.

Parliament.

None privileged againſt the King's action, but bodies privileged, &c. *ibid.* 48, 49.

c. 9. The ſheriff ſhall without fee, &c. and in what time, deliver his precept to all boroughs, &c. within the county, &c. *ibid.* 50.

Penalty on returning officer not holding the election in 21 days after receipt of the precept, and not giving four days notice. *ibid.* 51.

All ſecurities, &c. given to ſuch returning officers to return a member void, and penalty on officer accepting ſame. *ibid.* 52.

Penalty on ſheriff not returning, writ, &c. and to whom, before the meeting of the parliament. *ibid.* 53.

Penalty on clerk of the crown not entering all returns in a book, &c. and not granting copies thereof, &c. *ibid.* 54.

No truſtee, &c. to have a voice, unleſs in poſſeſſion for ſix months before the writ, but the *ceſtuy que truſt*, &c. may vote. *ibid.* 55.

No papiſt tho' not convict, to vote for members of parliament. *ibid* 56.

No freeholder of 10 l only *per ann.* ſhall vote, unleſs a memorial of his deed, &c. be regiſtered ſix months before &c. unleſs it came to him by deſcent, &c. within ſix months *ibid.* 57.

No freeman who was not free ſix months before the election, unleſs made free by ſervice, &c. ſhall vote for members of parliament. *ibid*

Penalties on this act not exceeding 100 l. ſhall be to the informer, &c. and above that, two thirds to the informer, and one third to the poor, actions to be commenced within one year. *ibid.* 58, 59.

13 *G.* 2. c. 5. Privilege of parliament not to prevent proceedings in courts of equity, nor bar replevins, &c. *ibid.* 60, 61, 62.

c. 24 *Brit.* Any perſon may proceed againſt members of parliament immediately after diſſolution, &c. *ibid.* 63.

This act not to ſubject the perſon of any member of parliament to be arreſted, notwithſtanding they may be proceeded againſt, &c. *ibid* 64.

Where execution is ſtayed by privilege of parliament, the parliament may have a new execution when privilege is out. *ibid.* 65.

No privilege to bar the King's action, ſo that no member be arreſted during his privilege. *ibid.* 82, 83.

This act not to give power to hold pleas in mixt actions, &c. *ibid* 66.

19 *G.* 2 c. 11. Clerk of the peace muſt deliver to the treaſurer of the county, and when, a copy of ſuch entry and regiſtry. *ibid.* 67, 68.

Such copy to be kept by the treaſurer among the accounts of the county. *ibid.*

What oath required from freeholders inſtead of the oath directed by 2 *G.* 1. c. [illegible] and the oath is altered by 21 *G.* 2 c. 10. as to papiſts conformity. *ibid.* 69.

What freehold or freedom ſhall or ſhall not intitle the poſſeſſor to vote. *ibid.* 70, 71.

21 *G.* 2. c. 10. What qualifications required to intitle freeholders, &c. to vote for members of parliament. *ib.* 72, &c.

3 *G.* 3. c. 13. Oath to be taken by freeholders, freemen, &c. voting at elections. *ibid.* 81.

Parliament.

Juſtices to be appointed by the returning officer to adminiſter oaths. *ibid.* 82.

Penalty on officers and juſtices refuſing. *ibid.*

Penalty on officers admitting the vote of perſons refuſing to take the oath. *ibid.* 83.

Oath to be taken by every returning officer. *ibid.* 84.

Oath of voters, where the election is by the inhabitants. *ibid.* 85.

Penalty on officers convicted of perjury. *ibid.* 86.

Taking or offering bribes or rewards for voting, the penalty. *ibid.* 88.

Taking or offering rewards for not voting at elections, the penalty. *ibid* 89.

This act to be read openly at every election. *ibid.* 90.

And at every Lent aſſizes, and every election for magiſtrates. *ibid.*

Penalty on ſheriffs and magiſtrates for every wilful offence. *ibid.* 91.

Proſecution to be commenced within two years. *ibid.* 92.

Partition and parceners.

6 *E.* 1. c. 6. ſtat. *Glouc. Eng.* Where a man dies leaving more iſſue than one, the heirs ſhall recover by mortdanceſtor. PARTITION, &c. 1.

33 *H.* 8. ſeſſ. 1. c. 10. Jointenants ſhall be compellable to make partition, by writ. *ibid.* 2.

Joint-tenants, and tenants in common, after partition, may have aid one of another to deraign the warranty paramount. *ibid.* 3, 4, 5.

9 *W.* 3. ſeſſ. 1. c. 37. This act directs how to proceed in a writ of partition, &c. *ibid.* 6.

Tenants and feme covert, &c. may within one year after judgment, &c. ſhew cauſe againſt ſuch judgment. *ibid.* 7.

No plea in abatement allowed, &c. *ibid.* 8.

Sub ſheriff, &c. may execute a judgment of partition, but no partition ſhall diſturb the tenants in poſſeſſion. *ibid.* 9.

Sheriffs, &c. to attend the partition on proper notice. *ibid.* 10.

Where partition is made by perambulation, &c. the mears, &c. to be made upon pain, &c. *ibid*

6 *A.* c. 3. The act of *W.* 3. c. 37. inforced, but jointenants ſhall have aid from others, and in what manner. *ibid.* 11, 12.

Partnerſhips.

6 *G.* 1. c. 18. *Brit.* All public ſubſcriptions for fiſhing, &c. void, and penalty on perſons keeping or opening ſuch ſubſcriptions. PARTNERSHIPS, 1, 2.

Merchants ſuffering loſs by ſuch, how recoverable, and all ſuch ſubſcriptions declared nuſances. *ibid.* 3, 4.

Not to extend to corporations which formerly publickly exerciſed trade. *ibid.* 5, 6.

15 *G.* 2. c. 7. In what manner partnerſhips for working of coal mines may be carried on, &c. *ibid.* 7 to 11.

Patents.

1 *H.* 4. c. 6. *Eng.* All which demand of the King's lands, *&c.* ſhall mention in their petitions the value of the thing demanded, otherwiſe the King's patents ſhall be of no force. PATENTS, 2.

37 *H.* 6. c. 1. Upon warrants by the King's juſtices of Ireland, *&c.* to be addreſſed to the chancellor of Ireland, the day of delivery ſhall be entered in chancery, and the King's letters patents ſhall be made upon the ſame warrants, bearing the ſame date, *&c. ibid.* 4.

Perſons may enjoy lands, *&c.* according to the purport of letters patent, for ſuch fines, *&c.* as ſhall be therein limited; the ſaid letters patent ſhall be ratified by authority of parliament, *&c. ibid.* 5, 6.

Saving to all perſons other than the King, all ſuch rights, *&c.* as they ought to have, as if this act had not been made. *ibid.* 7.

Patentees after the paſſing of letters patent, ſhall hold all the lands being within the plantations of this kingdom. *ibid.* 14.

What part of letters patent by virtue of any commiſſion of grace, ſhall be effectual. *ibid.* 15.

The King ſhall be adjudged in the real ſeiſin of an eſtate in all the lands, *&c.* in the ſeveral counties of Ireland, called plantation lands, *&c.* or paſſed as ſuch by letters patent to any Britiſh undertakers, *&c. ibid.* 16.

All ſuch letters patents ſhall be expounded moſt liberally for the advantage of the patentees againſt the King, *&c. ibid.* 17.

Paving and Cleanſing. See Dublin, Paving, &c.

6 *G.* 1 c. 15. So much of this act, and of 4 *G.* 1. c. 11. as relates to repairing public pavements of the city of Dublin, ſhall extend to all counties, *&c.* PAVING, &c.

Pedlars. See Hawkers.

Perjury.

28 *El.* c. 1. Penalty on perſons procuring a witneſs to commit perjury in any cauſe, *&c.* PERJURY, 1, 2, 3.

Penalty on perſons, *&c.* guilty of perjury, *&c.* one moiety to the King, the other to the party grieved, &c. *ibid* 4, 5, 6.

Juſtices of the ſame court, *&c.* to determine perjury, *&c.* but not to extend to the ſpiritual court. *ibid.* 7, 8, 9.

Judges may proceed in perjury as before this act, and this act to be perpetual. *ibid* 10.

4 *W.* & *M.* c. 4. Perjury in affidavits taken by judges of aſſiſe, *&c.* puniſhable as if ſworn in open court, *&c.* AFFIDAVITS, 3.

3 *G.* 2. c. 4 Further penalty on perſons guilty of perjury or ſubornation. PERJURY, 11.

19 *G.* 2. c. 21. Falſe affirmation of quakers, perjury. NONCONFORMISTS, 21.

Perpetuating witneſſes.

13 *G.* 2. c. 9. The method of proceeding in all ſuits which ſhall be inſtituted in any court of equity, &c. in order to have the teſtimony of witneſſes perpetuated, &c. CHANCERY, 11, 12.

Petitions.

13 *C.* 2. c. 5. *Eng.* Penalty on any procuring the hands of above twenty perſons to any petition, *&c.* to the King, *&c.* except by conſent of juſtices, *&c.* PETITIONS, 1.

This act not to hinder any perſons, not exceeding ten, to preſent any complaint to parliament. *ibid.* 2.

Petition of Right.

14 *E.* 3. ſtat. 1. c. 14. *Eng.* If lands in the King's hands be demanded by petition, writ ſhall be ſued out to make anſwer, *&c.* PETITION OF RIGHT.

Pews.

1 *G.* 2. c. 22. Annual rents may be charged by the biſhop, *&c.* on the pews in all chapels of eaſe, *&c.* CHURCHES, 46.

Pewterers. See Braſiers.

Pillory.

Ordin. for bakers, *incert. temp.* c. 2. *Eng.* Every pillory muſt be of convenient ſtrength, ſo that execution may be done upon offenders without peril of their bodies. PILLORY.

c. 7. *Eng.* A butcher ſelling ſwines fleſh meazled, &c. to be pilloried for the ſecond offence, &c. BUTCHERS, 1.

33 *H.* 8. ſeſſ. 1. c. 15. The third offence by begging ſcholars, &c. fortune tellers, &c. is pillory, &c. VAGRANTS, 7.

28 *El.* c. 2. The firſt offence on this act relating to witchcraft, &c. is a years impriſonment and pillory once a quarter, &c. CONJURATION, 4.

c. 3. On forging of deeds, &c. to moleſt the title of lands, &c. the offender to pay double coſts and damages, and be pilloried, *&c.* FORGERY, 2.

Piracy.

11 *J.* 1. c. 2. Murders, *&c.* done on the ſea, *&c.* in what manner to be tried, *&c.* PIRACY, 1.

Who may determine ſaid crimes. *ibid.* 2.

The offenders ſhall not be admitted to have benefit of clergy. *ibid.* 3

Not to extend to perſons in diſtreſs on the ſea taking victuals, *&c.* if they pay for the ſame, *&c. ibid.* 4.

11 & 12 *W.* 3. c. 7. *Eng.* Perſons appointed by the king's commiſſion under the great ſeal, ſhall try piracies, *&c.* committed on the ſea, *&c. ibid.* 5, 6, 7.

Such perſons ſhall have power to iſſue warrants for any accuſed of piracy, *&c* and to ſummons witneſſes, *&c.* The form of the oath to be taken by the preſident of the court, *&c. ibid.* 8, 9.

Piracy.

A regiſter to be appointed by the court, &c. *ibid.* 10.

Piracies, &c. committed by perſons on the ſea under pretence of commiſſions from foreign ſtates, &c. ſhall be puniſhed with death, loſs of lands, &c. *ibid.* 11.

Commanders of ſhips, &c. betraying their truſt, &c. ſhall be deemed pirates, &c. *ibid.* 12.

Perſons aſſiſting, &c. pirates ſhall be deemed acceſſories and puniſhed as pirates. *ibid.* 13.

Widows, &c. of perſons ſlain in fighting againſt pirates, ſhall receive a ſum of money not exceeding two *per cent.* of the freight, &c perſons making diſcovery of any combination to run away with a ſhip, ſhall receive 10l. reward for every veſſel of 100 tuns, or under, and 15l. for every ſhip of greater burthen, &c. *ibid.* 14, 15.

This act ſhall continue in force for ſeven years. *ibid.* 16.

Officers and ſailors deſerting the ſhips wherein they are hired to ſerve, &c. ſhall forfeit all wages due to them. *ibid.* 17.

Maſters of merchant ſhips forcing any man on ſhore, &c. ſhall ſuffer 3 months impriſonment. *ibid.* 18.

4 *G.* 1. c. 11. *Brit.* Perſons committing any offences for which they ought to be adjudged pirates, by 11 & 12 *W.* 3. c. 7. may be tried by the act 28 *H.* 8. c. 15. and ſhall be debarred from benefit of clergy. *ibid.* 19.

8 *G.* 1. c. 24. *Brit.* Commanders of ſhips, &c. trading with pirates, ſhall be adjudged guilty of piracy, &c. *ibid.* 20.

Ships fitted out with an intent to trade or correſpond with pirates ſhall be forfeited, &c. *ibid.* 21.

All perſons who by the act 11 & 12 *W.* 3. c. 7. are declared acceſſories to any piracy, are hereby declared to be principal pirates, &c. *ibid.* 22.

Offenders convicted of piracy, &c. by virtue of this act, ſhall not have benefit of clergy. *ibid.* 23.

Seamen wounded aboard of merchant-ſhips fighting againſt pirates, ſhall not only receive the rewards appointed by 22 & 23 *C.* 2. c. 11. but ſhall be provided for in Greenwich hoſpital, &c. *ibid.* 24.

Officers and ſeamen of merchant-ſhips which carry guns, not defending themſelves when attacked by pirates, ſhall forfeit all their wages due, and ſuffer 6 months impriſonment. *ibid.* 25.

Seamen not to be paid beyond the ſeas more than one moiety of their wages, &c. *ibid.* 26.

To extend to all his majeſty's dominions in Aſia, Africa and America, and ſhall continue ſeven years. *ibid.* 27.

10 *G.* 2. c. 30. *Brit.* Natural born ſubjects committing hoſtilities on the high ſeas, may be tried as pirates, &c. *ibid.* 28.

Perſons tried on this act whether acquitted or convicted, ſhall not be tried again for the ſame fact. *ibid.* 29.

Not to extend to prevent perſons guilty of any the ſaid crimes, who ſhall not be tried according to this act, from being tried for high treaſon according to the act 28 *H.* 8. c. 15. *ibid.* 30.

Pheaſant. See Game.

Pick-Pockets. See Felony.

Pidgeons. See Game.

Plague. See Quarentine.

Plantation Lands in Ireland.

15 *C.* 1. Seſſ. 3. c 6. The king, &c. adjudged ſeized in fee, &c. of all lands, &c. in the ſeveral counties in Ireland called plantation lands. Perſons to whom the ſame are, &c. granted to hold the ſame, diſcharged of arrears, &c. againſt the king, &c. not to prejudice right of biſhops. PATENTS, 16, 21.

The king adjudged ſeized of an eſtate of inheritance of ſeveral countries and plantation lands in Ireland, &c. *ibid.*

Plantation-trade.

12 *C.* 2. c. 18. *Eng.* No ſugars, &c. of the production of any of the Engliſh plantations, ſhall be carried to any other place than to ſuch plantations, or to England, Ireland, &c. on pain of forfeiture of the goods and ſhip, &c. PLANTATIONS, 1.

Every ſhip ſetting out from England, &c. for any Engliſh plantations, ſhall give bond and ſureties in proportion to its burden, that in caſe the ſhip ſhall load any commodities at the plantations, the ſame ſhall be unloaded no where but in England, &c. *ibid.* 2.

15 *C.* 2. c. 7. *Eng.* No commodity of the production of Europe, ſhall be imported into any of his majeſty's plantations, unleſs ſhipped from England, &c, and in Engliſh built ſhipping on pain of forfeiture, &c. except ſalt for the fiſheries of New England, &c. Madeira, and Azores wines, ſervants, horſes and victuals from Ireland. *ibid.* 3, 4.

Perſons importing by land goods into the Engliſh plantations, ſhall within 24 hours after importation deliver to the governor his name and a particular of the goods, and certificate of the ſhips being of Engliſh built, &c. *ibid.* 5.

22 23 *C.* 2. c. 26. *Eng.* The word Ireland ſhall be left out of all bonds taken for ſhips ſailing from Ireland, &c. for any Engliſh plantations, &c. no goods to be landed without bond, &c. offences againſt this act to be proſecuted in any court of admiralty in England. *ibid.* 6, 7.

25 *C.* 2. c. 7. *Eng.* If ſhips trading to the plantations, ſhall not firſt have given bond, &c. to bring the commodities to England, &c. the ſeveral duties ſpecified in this act, ſhall be paid on ſuch commodities. *ibid.* 8.

The duties appointed by this act, ſhall be levied by the commiſſioners of the cuſtoms in England. *ibid.* 9.

Perſons liable to pay ſuch duties not having money, the officers may accept the value in goods. *ibid.* 10.

7 & 8 *W.* 3. c. 22. *Eng.* No goods ſhall be imported into or exported out of any of the Engliſh plantations, but in ſhips of the built of Ireland, &c. *ibid.* 11.

Merchandizes may be exported from, or imported into England, &c. in any ſhips taken as prize, &c. *ibid.* 12.

Plantation-trade.

Ships of war as well as merchant ſhips ſhall be liable to the ſame rules, forfeitures, &c. as by 13 & 14 *C.* 2. c. 11. for preventing frauds in his majeſty's cuſtoms, &c. *ibid.* 13.

Penalties on this act how to be recovered and applied. *ibid.* 14.

Notwithſtanding the payment of the duties granted by 25 *C.* 2. c. 7. in any of the plantations, no goods ſhall be ſhipt until ſecurity is given, &c. *ibid.* 15.

All laws which ſhall be in practice in the plantations repugnant to this act, ſo far as the ſame relates to the plantations ſhall be void. *ibid.* 16.

Where the governor, &c. in the plantations, ſhall ſuſpect that the certificate of having given ſecurity in England is falſe, he ſhall take ſecurity there for the diſcharge of the lading in England, *&c.* *ibid.* 17.

Commiſſioners of the treaſury, &c. may appoint ſuch officers of the cuſtoms in any city, *&c.* in the plantations as to them ſhall ſeem needful. *ibid.* 18.

Places of truſt in the courts of law, or what relates to the treaſury of the iſlands, ſhall be in the hands of the native born ſubjects of England or Ireland, or of the ſaid iſlands. *ibid.* 19.

In all bonds to be taken in the plantations by 22 & 23 *C.* 2. c. 26. the ſureties ſhall be perſons of known reſidence and ability, and the conditions within 18 months after date, &c. *ibid.* 20.

Goods of the produce of the plantations, ſhall not be landed in Ireland, unleſs the ſame have been firſt landed in England and the duties paid, under penalty of forfeiting goods and ſhip. *ibid.* 21.

A ſaving for ſhips driven into any port of Ireland by ſtreſs of weather, &c. *ibid.* 22.

Proprietors of Iſlands, *&c.* upon the continent of America, ſhall not alien the ſame other than to the natural born ſubjects, without his majeſty's licence. *ibid.* 23.

The tenor of the oath to be taken by owners of ſhips trading to the plantations to prove the ſame to be of the built of England, *&c.* which oath ſhall be regiſtered and a duplicate ſent to the general regiſter in London, &c. *ibid.* 24.

Ships taken at ſea by letters of mart, *&c.* ſhall be ſpecially regiſtered with proof that the entire property is Engliſh *ibid.* 25.

Not to extend to fiſher boats, *&c.* *ibid.* 26.

No ſhips name ſhall be changed without regiſtering ſuch ſhips *de novo*, &c. *ibid.* 27.

11 *W.* 3. c. 12. *Eng.* If any governor, *&c.* of the plantations, ſhall be guilty of oppreſſing the ſubjects, ſuch offences ſhall be inquired into in the king's bench in England. *ibid.* 28.

8 *A.* c. 13. *Brit.* If judgment be not obtained on plantation bonds within 2 years after proſecution, ſuch bonds ſhall be void, *&c.* *ibid.* 29.

8 *G.* 1. c. 13. *Brit.* Beaver ſkins, *&c.* of the product of Britiſh plantations, ſhall be imported directly into Great Britain, &c. and not elſewhere, under the penalties in 12 *C.* 2. c. 18. *ibid.* 31.

4 *G.* 2. c. 15. *Brit.* Goods of the growth of the Britiſh plantations in America, except ſugars, *&c* may be imported into Ireland, in Britiſh ſhipping, *&c.* *ibid.* 32, 33.

6 *G.* 2. c. 13. *Brit.* No ſugars, *&c.* of the growth of America, nor any rum or ſpirits except of the growth of the Britiſh ſugar colonies, ſhall be imported into Ireland, but ſuch only as ſhall be ſhipped in Great Britain, *&c.* on pain of forfeiture of the ſhip and goods; and perſons aſſiſting in landing ſuch ſugars, *&c.* ſhall forfeit treble value. *ibid.* 34, 35.

If any perſon ſhall hinder cuſtom-houſe officers, *&c.* in the execution of their duty as to ſeizures, he ſhall forfeit 60 l. and officers conniving, ſhall forfeit 50 l. *ibid.* 36.

Maſters of ſhips who ſhall take in any ſugar, *&c* to be imported into Ireland contrary to this act, ſhall forfeit 100 l. *ibid.* 37.

Upon all ſuits for importation of the commodities aforementioned, the *onus probandi*, ſhall lie on the claimer; and ſuits to be brought within 2 years after the offence committed. *ibid.* 38, 39.

The expence of proſecuting offences againſt this act, ſhall be paid out of the ſhares of the forfeitures given to the king. *ibid.* 40.

Planting, vide Woods.

Pleadings.

52 *H.* 3. c. 11. *Eng.* Neither in the circuit of juſticers, *&c.* nor courts baron, ſhall any fines be taken for fair pleading, *&c.* PLEADINGS, 1.

3 *E.* 1. c. 29. *Eng.* A pleader acting in deceit of the court, *&c.* to be expelled. *ibid.* 2.

34 *E.* 1. Stat. 1. *Eng.* The aſſiſes of *novel diſſeiſin*, where the tenant pleadeth that he holds the lands in demand jointly with his wife not named in the writ, *&c.* if the plaintiff will aver by aſſiſe, that the day of his writ purchaſed he that alledged the exception was ſole tenant, the juſtices ſhall retain the deed until the aſſiſe be tried thereupon, *&c.* *ibid* 3.

25 *E.* 3. Stat. 5. c. 16. *Eng.* By the exception of non-tenure of parcel, no writ ſhall be abated, but for quantity of non-tenure. *ibid.* 4.

36 *E.* 3. c. 15. *Eng.* All pleading ſhall be in Engliſh, *&c.* *ibid.* 5.

None to be prejudiced if the matter of his action be fully ſhewn in the declaration. *ibid.*

6 *R.* 2. c. 2. *Eng.* In writs of debt, *&c.* if in pleas upon the ſame writs, it ſhall be declared that the contract was made in another county than is contained in the original writ, the ſame writ ſhall be abated. *ibid.* 6.

33 *H.* 8. ſeſſ. 2. c. 3. *Eng.* After iſſue in B. R. C. B. or exchequer, judgment ſhall be given notwithſtanding any miſpleading, jeofail, inſufficient pleading, *&c.* *ibid.* 7.

Attornies in any action in the king's courts ſhall deliver their warrants of attorney to be entered of record in the ſame term that the iſſue is entered, *&c.* on pain of forfeiture of 10 l. *ibid.* 8.

Pleadings.

None to be admitted a pleader, *&c.* except for the crown, that is not years reſident in the inns of court in England. *ibid.* 9.

This act ſhall not extend to bind juſtices, *&c.* to give judgment in any cauſe depending between the King and his ſubjects, *&c.* *ibid.* 10.

Not to extend to exceptions to be moved before any judges and not allowed by them, *&c.* *ibid.* 11.

10 *C.* 1. ſeſſ. 2. c. 11. After demurrer joined in any court of record, the judges ſhall give judgment according to right, without regarding want of form, *&c.* and the court may amend all imperfections, *&c.* *ibid.* 12, 13.

Not to extend to felony or murder, *&c.* *ibid.* 14.

——c. 12. Judgment ſhall not be ſtayed or reverſed for want of form, falſe Latin, *&c.* nor for variance of form between the original writ and the declaration, *&c.* *ibid.* 15, 16.

This act not to extend to felony or murder, *&c.* *ib.* 17.

Attornies in any court of record ſhall deliver in their warrants of attornies in all actions to be filed of record, *&c.* on pain of forfeiture of 10 l. *&c.* *ibid.* 18.

——c. 16. If any action upon the caſe, *&c.* ſhall be brought againſt any ſheriff *&c.* for any thing by virtue of their offices, the ſaid action ſhall be laid in the county where the fact was committed, and not elſewhere, *&c.* *ibid.* 19

15 *C.* 1. c. 1. Whenſoever the king or any other claiming under the ſame title ſhall be out of poſſeſſion of lands 20 years, *&c.* the defendants may plead the general iſſue, *&c.* *ibid* 20.

Where information of intruſion may be brought on the king's behalf, no *ſcire facias* ſhall be brought. *ib.* 21.

17 & 18 *C.* 2. c. 12. Judgment ſhall not be ſtayed or reverſed for want of pledges, or becauſe there is but one pledge to proſecute returned upon the original writ, *&c.* *ibid.* 22.

This act ſhall not to extend to an appeal for felony or murder, *&c.* *ibid.* 23.

9 *W.* 3. ſeſſ. 1. c. 38. Proceedings in inferior courts holding plea of 40s only may be in Engliſh. *ibid.* 24, 25.

4 *A.* c. 5. The heir may plead *reins per diſcent* to an action upon a ſpecialty, *&c.* FRAUDS, &c. 28.

6 *A.* c. 10. Where demurrer ſhall be joined in any ſuit the judges ſhall give judgment according to the right of the cauſe without regarding imperfection in any writ, &c. *ibid.* 26.

All the ſtatutes of jeofail ſhall be extended to judgments entered upon confeſſion, *nihil dicit*, or *non ſum informatus*, in any court of record, &c. *ibid.* 27.

Attorney for plaintiff ſhall file his warrants of attorney the ſame term he declares, attorney for the defendant the ſame term he appears, &c. *ibid* 28.

Defendants, &c. in replevin may plead as many matters as they pleaſe in their defence *ibid.* 29

If inſufficient on demurrer, &c. to pay coſts *ibid.* 30.

Not to extend to any appeal for felony, &c. *ibid.* 31.

A dilatory plea to be put in upon oath, &c. *ibid.* 32.

If on action on a bond defendant bring into court all principal money, &c. the court, &c. to diſcharge defendant *ibid* 33, 34.

11 G. 2. c. 6. All writs and other proceedings in law ſhall be in Engliſh on the penalty of 20 l. not to extend to the expreſſing proper names of writs or technical words, &c. *ibid.* 36, 37.

Miſtranſlation, &c. in pleadings begun before the 1ſt of January 1738, ſhall be no error nor make void any proceedings, &c. but may be amended before or after judgment, &c. *ibid.* 38.

Not to extend to certifying beyond ſea any caſe or proceedings in the court of admiralty, &c *ibid.* 29.

All ſtatutes for the reformation of delays ariſing from jeofails, ſhall extend to all proceedings in courts of juſtice, except in criminal caſes when the forms are in Engliſh, &c. *ibid* 40.

Pleas of the Crown.

9 *H.* 3. c. 17. *Mag. Chart. Eng.* No ſheriff, &c. ſhall hold plea of the crown, &c. PLEAS OF THE CROWN.

Pledges.

9 *H.* 3. c. 8. *Eng.* Pledges not to be diſtrained ſo long as the principal is ſufficient. DEBT TO AND FROM THE KING, 1.

13 *E.* 1. c. 2. *Eng.* Sheriff to take pledges of the plaintiff to proſecute his ſuit, &c. REPEVIN, 4.

17 & 18 *C.* 2. ſeſſ. 5. c. 12. After verdict in any action, judgment ſhall not be ſtayed, &c. for want of pledges, &c. PLEADINGS, 22.

Plenarty. See Advowſon.

Plus Acres.

2 *A.* c. 8. Plus acres veſted in the perſons who were in poſſeſſion of them the 1ſt of October, 1702, for ever. PLUS ACRES, 1.

The chief governor, &c. and for what time to hear claims on them, &c. *ibid.* 2.

Chief governors, &c. may grant proteſtants plus acres that are ſo barren as not to be worth quitrent, for ſuch term of years as they ſhall think fit, &c. *ibid.* 3.

Nothing herein contained ſhall make void any ſettlement, &c. whoſe eſtates are hereby confirmed, &c. *ibid.* 4.

Poor houſe. See Dublin Poor-houſe.

Popular Actions. See Information.

Porcelane. See India goods.

Pork. See beef and pork.

Port corn. See Monaſteries.

Poſſeſſions. See Forcible Entry.

10 *C.* 1. ſeſſ. 3. c. 15. None to buy or ſell a title of lands, &c. unleſs the ſeller, &c. was one year next before in poſſeſſion, &c. on pain, &c. MAINTENANCE, 14.

Poſſeſſions. See Forcible Entry.

15 *C.* 1. c. 1. Where the King, &c. has been out of poſſeſſion, &c. 20 years before any information brought, the defendant may plead the general iſſue, &c. PLEADINGS, 20.

8 *G.* 1. c. 4. Mortgagees 20 years in poſſeſſion, may plead ſuch poſſeſſion in bar to any action, *&c.* LIMITATIONS, 24.

25 *G.* 2. c. 12. Perſons proclaimed for reſiſting ſheriffs, *&c.* in the execution of proceſs for giving, *&c.* poſſeſſion of lands, guilty of felony, and to be tranſported. POSSESSIONS, 1.

The printed proclamation wherein perſons are named for oppoſing execution of proceſs, *&c.* ſhall be adjudged ſufficient evidence againſt ſuch perſons. *ibid.* 2.

Examination ſhall be taken on oath before a judge of the King's bench, *&c.* before any grand jury ſhall preſent perſons as aforeſaid. *ibid.* 3.

Perſons intitled to poſſeſſion by judgment, *&c.* to be deemed in actual poſſeſſion from the time of ſuch judgment, *&c.* where ſheriffs, *&c.* are oppoſed in the execution of proceſs for giving ſuch poſſeſſion, *&c.* *ibid.* 4.

Payment of rents, &c from the time of ſuch judgment, &c. to any other perſons, void. *ibid.*

All growing rents to be the property of perſons intitled to the poſſeſſion under ſuch judgments, &c. *ibid.*

Perſons keeping poſſeſſion after ſuch reſiſtance, to forfeit double the value of the rents, &c. from the time of ſuch judgment, and how recoverable. *ibid.*

Poſthumous Children.

8 *A.* c. 4. Children born after the death of the father, ſhall take any eſtate in remainder, &c. POSTHUMOUS CHILDREN, 1.

Not to extend to diveſt any eſtate in remainder, that by virtue of marriage, &c. is already come to the poſſeſſion of any perſon by reaſon of children not born in the lifetime of their father. *ibid.* 2.

Poſt-Office.

9 *A.* c. 10. *Eng.* A poſt-office eſtabliſhed in all her Majeſty's dominions. POST-OFFICE, 1, 2, 3.

Poſt-maſters, &c. ſhall provide horſes, *&c.* for perſons riding poſt in Great-Britain and Ireland, and no other perſons. *ibid.* 4.

The rates ſettled for the carriage of letters within Great Britain and Ireland, as alſo the poſtage payable for foreign letters, *&c.* *ibid.* 5, 6, 7.

Poſt-maſters ſhall keep packet boats to go from Donaghadee to Port Patrick, *&c.* they may ſet up croſs ſtages, &c and may appoint perſons to meaſure roads by the wheel, *&c.* ſuch meaſurers to be ſworn. *ibid.* 8, 9, 10, 11.

Merchants accounts not exceeding one ſheet, *&c.* ſhall be allowed without rate, &c. ſent by way of Vienna, *&c.* *ibid.* 12.

Rates payable to poſtmaſters for furniſhing horſes, *&c.* to ride poſt *ibid.* 13.

Regulations to be obſerved, and rates payable for carriage of letters, *&c.* Penalties on paymaſters and others offending againſt this act. The oath to be taken by poſtmaſters and others employed in the poſt-office, before entering into their employment. *ibid.* 14 to 41.

6 *G.* 1. c. 21. *Brit.* Bills of exchange wrote on the ſame paper with a letter, and alſo letters to ſeveral perſons wrote on the ſame piece of paper, ſhall be rated as ſo many diſtinct letters. *ibid.* 42.

To what the proviſo 9 *A.* c. 10. extends. *ibid.* 33.

22 *G.* 2. c. 25. *Brit.* The act 9 *A.* c. 10. ſhall not reſtrain the letting out chaiſes, *&c.* on poſt roads, by perſons licenſed, *&c.* *ibid.* 44, 45.

26 *G.* 2. c. 13. *Brit.* Writs and proceedings at law to be charged as diſtinct letters. *ibid.* 32.

Patterns and ſamples, under an ounce weight, to be paid for as double letters. *ibid.* 33.

4 *G.* 3. c. 24. *Brit.* What letters exempted from poſtage. *ibid.* 34.

Letters, under two ounces, ſent to or franked by any member of parliament, of either houſe, during privilege. *ibid.*

The whole ſuperſcription of letters to be of the handwriting of the member. *ibid.*

Letters directed to the treaſury, admiralty or ſecretaries. *ibid.* 46.

Letters ſent from the ſaid offices or the general poſt-offices. *ibid.* 48.

Liſts of perſons, in offices, authorized to indorſe letters to be ſent to the general poſt office *ibid.* 49.

Penalty on officers indorſing letters which do not concern the buſineſs of the office. *ibid.* 50.

The number of perſons, in the ſeveral offices authorized to indorſe letters. *ibid.* 41.

Perſons intitled to ſend letters free, being diſabled from writing, may depute ſome one perſon to ſign for him. *ibid.* 42.

Printed votes or news papers may be ſent free in covers open at the ſides. *ibid.* 43.

Officers licenſed by the ſecretaries or poſtmaſter, may frank votes or news-papers. *ibid.* 44.

Officers under the poſt-maſter may ſearch and examine packets in covers open at the ſides. *ibid.* 45.

Other papers or writings being in ſuch packets, the whole to be charged with poſtage. *ibid.*

Counterfeiting franks, to avoid the payment of poſtage, made felony. *ibid.* 46.

5 *G.* 3. c. 25. *Brit.* Letters and packets brought by ſhips to be delivered to the poſt-maſters. *ibid.* 47.

Except ſhips performing quarentine. *ibid.*

Penalties on perſons neglecting or refuſing to deliver letters or packets. *ibid.* 48.

One penny additional poſtage for letters delivered from any ſhip, *&c.* *ibid.* 49.

Poſtage of letters for the ſeveral poſt-ſtages regulated. *ibid.* 51.

Poſtage for letters between England and Ireland, by Scotland. *ibid.* 52.

Poſt-roads to be meaſured by the wheel. *ibid.* 53.

Surveys to be verified on oath, and depoſited in the poſt-offices. *ibid* 56.

Surveys atteſted as above, to be evidence of the diſtances in all courts. *ibid.* 57.

Post-Office.

Penny post-offices may be eſtabliſhed in any city or town, where neceſſary. *ibid.* 58.

No packets or parcels exceeding four ounces to be forwarded by any penny-poſt. *ibid.* 59.

Poſtage of foreign letters regulated. *ibid.* 60.

Embezzling or deſtroying letters or notes, &c. encloſed made felony. *ibid.* 62.

Robbing the mail made felony of death. *ibid.* 63.

Embezzling money received for poſtage, deſtroying letters received, or not accounting for money, made felony. *ibid.* 64.

Penalty on poſt-boys deſerting the mail, ſuffering others to ride with it or loitering on the road. *ibid.* 65.

Penalty for receiving or collecting letters, or unlawfully conveying them. *ibid.* 66.

Potatoes.

11 *G.* 2. c. 11. Potatoes not to be ſold otherwiſe than by weight, 14 pound of potatoes to make one ſtone, and eight ſtone one hundred weight. The potatoes to be weighed at the public ſcales without fee or reward. Potatoes, 1.

Penalty on maſters of ſhips, &c. ſelling potatoes otherwiſe than by weight, how recoverable, and to be applied. *ibid.* 2.

Pound Breach. See Diſtreſs.

Poiſoning. See Murder.

Precontract. See Marriage.

Prelates. See Biſhops.

Premunire. See Rome.

Prerogative.

17 *E.* 2. c. 8. *Eng.* With regard to the lapſe of 6 months. Advowson, 6.

17 *E.* 2. c. 9, 10. *Eng.* In regard to the cuſtody of ideots and lunaticks. Ideots and Lunaticks, 1.

17 *E.* 2. c. 11. *Eng.* In wreck, whales and ſturgeons. Wreck, 2.

17 *E.* 2. c. 14. *Eng.* In the eſcheats of biſhops tenants. Biſhops, 3.

17 *E.* 2. c. 16. *Eng.* In the goods of felons, and in the year and day. Felons, 3.

Preſentments.

4 *A.* c. 6. Grand juries, &c. not to make any preſentments, but what are allowed by this act. Presentments, 1 to 6.

6 *G.* 1. c. 10. Grand juries in every county may preſent a ſalary for the treaſurer and gaoler of the county, and the treaſurer is to account at every aſſiſes, &c. *ibid.* 7, 8.

1 *G.* 2. c. 13. No preſentments to be made at any quarter-ſeſſions, but in the county of Dublin. *ibid.* 9.

Preſentments.

29 *G.* 2. c. 14. Preſentments may be made in the city and county of Dublin, for every uſe that money may be raiſed at aſſiſes. *ibid.* 11.

Preſentments may be made in Dublin for making and repairing ſewers and drains. *ibid.* 12.

Money, not exceeding five pounds for the cryers of the courts of oyer and terminer. *ibid.*

No preſentment to ſtand confirmed until the ſixth day of the next term after. *ibid.* 13.

Preſentments to be poſted up the firſt five days of the term following. *ibid.* 14.

No preſentments on robbery-petitions. *ibid.* 15.

No preſentment of money at any quarter-ſeſſions, except for Dublin. *ibid.* 16.

33 *G.* 2. c. 13. Six-pence in the pound may be preſented for raiſing public-money. *ibid.* 19.

Salaries for treaſurers in Galway, Mayo, and Kerry. *ibid.* 20.

Money for making good inſolvencies of high-conſtables. *ibid.* 21.

3 *G.* 3. c. 7. Notice to be given of preſentments to the treaſurer ſeven days previous to the aſſizes. *ibid.* 22.

Copies of notices to be read in open court on the ſecond day of the aſſiſes. *ibid.* 23.

5 *G.* 3. c. 14. Preſentments on counties for what purpoſes, and poundage for collecting. *ibid.* 27.

Pretender.

2 *G.* 1. c 4. Vice-treaſurer, &c. to pay 50,000 l. to any perſon who ſhall ſecure the pretender dead or alive, attempting to land in this kingdom, &c. King, &c. 26.

The pretender, &c. ſtands convicted of high treaſon, &c. *ibid.* 24.

Perſons correſponding with the pretender, &c. guilty of high treaſon, &c. *ibid.* 25.

19 *G.* 2. c. 1. Correſpondence with the pretender's ſons, or knowingly with perſons employed by them, or remitting money knowingly for their uſe, treaſon. *ibid.* 29.

Pretender's ſons to be attainted of treaſon, if landing or attempting to land, or found in Ireland, or on board any ſhip with intent to land in Ireland. *ibid.* 30.

Reward of 50,000 l. to be paid by the vice-treaſurer or his deputies for ſecuring any of them alive or dead if they land or attempt to land in Ireland. *ibid.* 31.

The proportion of the reward to be paid to the executors, &c. of perſons killed in ſecuring them. *ibid.* 32.

Offences againſt this act committed out of the King's dominions may be laid and tried in any county in Ireland. *ibid.* 33.

Prieſts. See Marriages, Papiſts.

Principal. See Acceſſary.

Priſage of Wines. See Butlerage.

Priſons and Priſoners.

1 *E.* 2. *Eng. de frang. priſon.* Felony in any perſon confined for felony, &c. to break priſon. Prisons, &c. 1

Priſons and Priſoners.

5 *H.* 4. c. 10. *Eng.* None ſhall be impriſoned by juſtices of peace but in the common gaol, *&c. ibid.* 2.

17 & 18 *C.* 2. ſeſſ. 5. c. 8. The ſeveral pariſhes in each county to be taxed, *&c.* by the juſtices, *&c.* for bread for priſoners. *ibid.* 3 to 8.

7 *W.* 3. ſeſſ. 1 c. 25. Plaintiff in a perſonal action may ſue forth an original againſt a priſoner, and may have an *habeas corpus* to bring him before any juſtice of B. R. *&c.* at a certain day, *&c.* If plaintiff then declare priſoner is bound to appear, and if he plead not on a rule in eight days, plaintiff ſhall have judgment, *&c. ibid.* 9.

10 *W.* 3. c. 9. Fees to be paid by priſoners, and to whom, on commitment, *&c. ibid.* 10 to 13.

Priſoners in the four courts marſhal to have liberty to bring in their own neceſſaries, *&c. ibid.* 14.

Priſoners being double on the marſhal's bed to pay 2 s. *per* week each, and what others muſt pay. *ibid.* 15 to 22.

8 *A.* c. 7. If a priſoner on a civil cauſe in the four court marſhals eſcapes, a judge of the ſame court, *&c.* may grant a warrant which ſhall be in force in all places, &c. *ibid.* 23.

When the officer has delivered ſuch priſoner to the ſheriff, *&c.* the ſheriff ſhall be anſwerable for an eſcape, and committals to be lodged on priſoners when put into gaol, *&c. ibid.* 24 to 29.

c. 9. Plaintiff may declare in the ſame court againſt a priſoner in cuſtody on any writ out of the four courts before the end of the ſame term wherein the writ is returnable, *&c.* and if he plead not before the end of the next term the plaintiff to have judgment. *ibid.* 29.

In declaration in B R. it muſt be alledged in cuſtody of what ſheriff the priſoner remains. *ibid.* 37.

3 *G.* 2. c. 5. No money to be raiſed for priſoners but by the grand juries at the aſſiſes, and to be paid to the miniſter of the pariſh who ſhall diſtribute the ſame, *&c. ibid.* 31.

3 *G.* 2. c. 9. Judges at the lent aſſizes ſhall enquire what priſoners remain in gaol for fees. *ibid.* 32.

To be diſcharged on repreſentation, by the grand-jury of inability to pay. *ibid.*

3 *G.* 3. c. 5. Preſentments for raiſing money to pay the fees of perſons acquitted on indictments. *ibid.* 33.

Certificate of the petty jury that the perſon acquitted is a proper object. *ibid.* 34.

No fees to be paid by perſons acquitted of indictment at quarter-ſeſſions. *ibid.* 35.

Penalty for extorting money from priſoners *ibid.* 36.

Perſons unworthy may be deprived of the benefit of this act. *ibid.* 37.

Preſentments at aſſizes for ſatisfaction to officers. *ibid.* 38. See Gaolers.

Privilege.

28 *H.* 6. c. 4. Penalty on the chancellor, *&c.* making out writs of privilege for any but their ſervants. Privilege.

Penalty on perſons other than ſuch ſervants purſuing ſuch writs. *ibid.*

Privilege of Parliament.

See Parliament.

Privy Council.

3 *H.* 7. c. 14. *Eng.* The King's ſervants conſpiring the death of a privy councellor, guilty of felony. Privy Council.

Probate of wills.

31 *E.* 1. c. 4. Extortion not to be uſed on granting probate of wills. Probate of wills, 1.

28 *H.* 8. c. 18. Nothing ſhall be taken for adminiſtration or probate, where the goods exceed not the value of 3 l. 6 s. 8 d. ſave to a ſcribe for writing, and 8 d. for the ſeal. *ibid.* 2.

For goods not exceeding 10 l. Iriſh ſealing, inventory, *&c.* 3 s. 4 d. whereof to the biſhop, *&c.* 2 s. to the ſcribe 1 s. 4 d. *ibid.* 3.

For good not exceeding 20 l. to pay 6 s. 8 d. five ſhillings whereof to the biſhop, 1 s. 8 d. to the regiſter. *ibid.* 4.

For goods not exceeding 40 l to pay 10 s. whereof to the ordinary 8 s. to the regiſter, 2 s. *ibid.* 5.

For goods not exceeding 100 l. to pay 16 s. 8 d. and above 100 l. 20 s. whereof to the ordinary 16 s. 8 d. to the regiſter 3 s. 4 d. *ibid.* 6, 7.

Proceſs.

3 *E.* 1. c. 45. *Eng. Weſtm.* 1. If the defendant after the firſt attachments returned make default, the great diſtreſs ſhall be awarded, Process, 1.

28 *E.* 1. c. 15. *Eng. Artic. ſuper Chart.* In ſummons and attachments in plea of land, 15 days ſhall be contained in the writ *ibid.* 2.

6 *H.* 6. c. 1. *Eng.* Exigents not to be awarded againſt perſons indicted of felony, &c. till writs of *capias* be directed to the ſheriff of the county. *ibid.* 3.

8 *H.* 6. c. 10. *Eng.* In what caſes exigents ſhall not be awarded, &c. *ibid.* 4 to 7.

10 *H.* 6. c. 6. *Eng* If indictments be removed from the county *exigent* not to be awarded, till a *capias* inſue to the county. *ibid.* 8.

10 *C.* 1. ſeſſ. 2. c. 15. Like proceſs ſhall be had in every action on 5 *R.* 2. c. 7. &c. as in common actions of treſpaſs, *&c. ibid.* 9.

Seſſ. 3. c. 12. After ſummons upon land, proclamation to be made fourteen days before return, and where. *ibid.* 10.

7 *W.* 3. c. 25. In writs of *venire facias*, fifteen days not required between the *teſte* and return. *ibid.* 11.

Not to extend to writs of *capias ad ſatisfaciendum, &c. ibid.* 12.

Prochein Amy. See Infant.

Proclamation on Exigents. See Outlawry.

Profaneneſs. See Blaſphemy.

Prohibition.

13 *E.* 1. *Eng.* Stat. *de circumſpect agat.* In what caſes prohibition lies not. PROHIBITION 1 to 4.

24 *E.* 1. Stat. of conſultation, *Eng.* Caſes not to be redreſſed by writ out of chancery, except in caſes depending in the eccleſiaſtical court, ſpiritual judges may proceed therein, notwithſtanding the King's prohibition. *ibid.* 5.

9 *E.* 2. c. 12. *Eng. Art. Cler.* 4. In what caſes prohibition lies. *ibid.* 6 to 9.

1 *E.* 3. c. 11. *Eng.* Where clerks, *&c.* have been indicted in the turn, and after ſue an indictor in the ſpiritual court for defamation, prohibition lies. *ibid.* 10.

18 *E.* 3. ſtat. 3. c. 5. *Eng.* No prohibition ſhall go out of chancery, but where the King hath cognizance. *ibid.* 11.

50 *E.* 3. c. 4. *Eng.* No prohibition lies after a conſultation awarded. *ibid.* 12.

2 *H.* 5. c. 3. Libel to be delivered to the party when grantable by law. *ibid.* 13.

Promiſſory Notes. See Bills.

Proſecutions.

3 *G.* 3. c. 28. Allowance to perſons attending to proſecute, for their time and labour. PROSECUTIONS, 1.

Preſentment by grand-juries for ſums not exceeding 2 s. a day. *ibid.* 2.

Clerks of the crown not to act as council, attorney or agent for defendants proſecuted at the ſuit of the crown. *ibid.* 3.

Protection.

33 *E.* 1. *Eng.* Where any purchaſe the protection of the King, affirming that they were out of the realm in the King's ſervice, and the adverſary challenge the protection, *&c.* the party ſhall demand judgment of the proceſs, *&c.* PROTECTIONS, 1.

3 *E.* 2. c. 3. No lord to take any thing by way of extortion. *ibid.* 6.

1 *R.* 2. c. 8. *Eng.* No protection with the clauſe of *volumus*, ſhall be allowed for victuals taken upon the voyage, whereof the protection maketh mention, nor in pleas of treſpaſs, or other contracts, made or perpetrated after the date of the protection. *ibid.* 3.

13 *R* 2. c. 16. No protection with clauſe *profecturus*, ſhall be allowed in any plea, whereof the ſuit is commenced, before the date of the protection, if he be not in the voyage, that the King himſelf goeth or other voyages royal, but the protection with clauſe *quia morturus* ſhall be allowed as before, *&c.* *ibid* 4.

7 *H.* 4. c. 4. None but King, *&c.* to grant protections. *ibid.* 5.

18 *H.* 6. c. 4. No protection *quia profecturus*, grantable under the great ſeal before affidavit be made of the truth thereof. *ibid.* 7.

If the defendant tarrying for ſix weeks after the protection, without reaſonable cauſe, the protection ſhall be void. *ibid.*

Proteſt. See Bills, *&c.*

Proteſtant Children of Papiſts.

8 *A.* c. 3. Where child of a papiſt conforms, *&c.* the chancery may make orders for the maintenance, *&c.* of ſuch child, *&c.* PAPISTS, 74.

6 *G.* 1. c. 6. Children of papiſts in what caſe to be deemed proteſtants. *ibid.* 107, 108.

Proteſtant Diſſenters. See Nonconformiſts.

Proteſtant-purchaſers.

1 *G.* 3. c. 12. Titles of proteſtants not to be impeached on account of any diſability, under the popery acts, in the perſons under whom they derive. PROTESTANT-PURCHASERS, 1.

3 *G.* 3. c. 13. Titles of proteſtants not to be impeached, on account of any omiſſion or neglect in converts under whom they derive. *ibid.* 3.

3 *G.* 3. c. 26. Titles of proteſtants not to be impeached by the popery acts, by colour of any right which accrued 20 years ago. *ibid.* 6.

Titles derived from converts, or reputed converts, not to be avoided by the aid of the ſaid laws. *ibid.* 7.

5 *G.* 3. c. 15. Perſons who have obtained the biſhops certificate, and ſhall perform the legal requiſites of conformity, before the 1ſt of December, 1767, ſhall be deemed proteſtants. *ibid.* 10.

Proteſtant Schools.

23 *G.* 2. c. 11. Society for promoting them, may appoint perſons to take up children begging, and convey them to a charter ſchool. PROTESTANT SCHOOLS, 1.

May bind out ſuch children as ſervants or apprentices. *ibid.* 2.

The ages of children ſo bound out, how to be aſcertained. *ibid.* 3.

Such children withdrawing how puniſhable. *ibid.* 4.

Appeal lies to the quarter ſeſſions, and what notice to be given of ſuch appeal. *ibid.* 5.

The juſtices to give a certificate of their determination *ibid.*

Perſons diſobeying, indictable, and puniſhable as for miſdemeanor. *ibid.*

For want of time to give fourteen days notice, appeal ſhall be made the next quarter ſeſſions on the like notice. *ibid.* 6.

Perſons ſeducing, forcing away, or harbouring ſuch children how puniſhable. *ibid.* 7.

The ſociety may detain children received with conſent of parents, and claim of children received without knowledge of parents, *&c.* when to be made, what oath, and allowance for maintenance required from ſuch parents. *ibid.* 8.

School maſters having carnal knowledge of any female child above 12 years, how puniſhable. *ibid.*

Maſters or miſtreſſes conſenting to other perſons having ſuch carnal knowledge, how puniſhable. *ibid.* 9.

5 *G.* 3. c. 6. Eccleſiaſtical perſons how far impowered to grant lands, and for what quantity, to the incorporated

ſociety

Protestant Schools.

ſociety for promoting Engliſh proteſtant ſchools. *ibid.* 10.

Publick money.

33 *G.* 2. c. 7. Notice to be poſted by the ſheriffs of counties of cities or towns, within fifteen days after any aſſiſes, at which money is preſented to be raiſed. PUBLICK-MONEY, 1.

The juſtices to aſſemble and aſcertain, and applot according to the acre, or according to the ſubſtance of the inhabitants. *ibid.*

The town clerk to attend and enter the aſſeſſments, and in ten days give notice to the pariſh miniſter of the ſums aſſeſſed. *ibid.* 2.

Applotment in thirty days after notice, as for pariſh rates. *ibid.* 3.

To be returned to the town-clerk, ſubſcribed by the miniſter and church-wardens. *ibid.*

In default the juſtices, at an aſſembly to applot in thirty days. *ibid.*

Town-clerk to enter the applotments, and deliver copies on demand. *ibid.* 4.

Juſtices abſconding from aſſemblies, forfeit ten pounds. *ibid.* 5.

Town-clerks forfeit twenty pounds for neglect. *ibid.*

The treaſurers to collect the money preſented. *ibid.* 6.

Recognizance, with two ſureties, to be entered into by the treaſurers. *ibid.* 7.

Accounts on oath to be returned to the judges and grand jury at the next aſſiſes. *ibid.* 8.

Judges may examine treaſurers on oath, and for fraud, fine and commit them. *ibid.* 9.

Making a falſe affidavit puniſhable as perjury. *ibid.* 10.

Applotment on the pariſhes for money of perſons inſolvent. *ibid.* 11.

Allowance to the treaſurers for money collected. *ibid.*

Town-clerks to file and enter the accounts. *ibid.* 12.

The ſame powers to treaſurers as the high-conſtables have. *ibid.* 13.

1 *G.* 3. c. 17. Penalty of ten pounds on miniſters neglecting to hold veſtries and make returns, within the time limited. *ibid.* 16.

Treaſurers omitting to collect before the next aſſiſes, to be fined and committed. *ibid.*

Continuation of the act, 33 *G.* 2. for twenty one years. *ibid.* 17.

5 *G.* 3. c. 14. Grand-juries at the aſſizes may appoint collectors, and give them an allowance. *ibid.* 19.

Security to be given to pay the money to the treaſurer by the ſecond day of the next aſſiſes. *ibid.*

The conſtables to aſſiſt the collectors, on refuſal to forfeit ten pounds. *ibid.* 20.

Money to be levied by diſtreſs and ſale of goods. *ibid.* 21.

Clerk of the crown to deliver copies of the preſentments to the treaſurer, without fee. *ibid.* 22.

Penalty of ten pounds for neglect. *ibid.*

Treaſurer to iſſue orders for collecting the money. *ibid.* 23.

Courts may iſſue proceſs if they are deceived in diſcharging any queries. *ibid.* 24.

Publick money.

Warrants to levy money on treaſurers, overſeers, collectors, *&c.* of publick-money, not accounting. *ibid.* 25.

Sheriffs intitled to a ſhilling in the pound for money levied. *ibid.* 26.

Purpreſtures.

4 *E.* 1. c. 4. *Eng. de Bigam.* Purpreſture, *&c.* upon the king ſhall be reſeized, *&c.* PURPRESTURES.

Purveyance.

34 *E.* 3. c. 2. *Eng.* Takings not to be made by any but the king's purveyors, *&c.* PURVEYANCE, 1.

18 *H.* 6. c. 1. No purveyor ſhall be allowed in Ireland, but the governors ſhall agree by their achators, *&c.* *ibid.* 2.

Quakers.

6 *G.* 1. c. 6. Quakers may anſwer bills in chancery, *&c.* by affirmation and none to be deemed quakers until they produce certificates of their being ſo for 3 years before. NONCONFORMISTS, 18.

19 *G.* 2. c. 18. Affirmation of quakers allowed in all caſes inſtead of an oath, and affirming falſly is perjury, *&c.* *ibid.* 21, 22.

No quaker to give evidence in criminal caſes nor ſerve on juries, *&c.* and none to be deemed quakers but ſuch as are ſo for one year before, and this act to be deemed public. *ibid.* 23, 24.

Qualification.

5 *G.* 3. c. 11. Indemnification of perſons who have neglected to qualify, provided they take the oaths before the 1ſt Auguſt 1764. OATHS, 34, 35.

——c. 7. Officers in the army preferred and qualifying in Great Britain not obliged to qualify in Ireland, *&c.* *ib.* 36.

This act not to reſtore to offices already avoided by judgment, or filled up by another. *ibid.* 4.

Quare impedit. See Advowſons.

Quare non admiſit. See Biſhops.

Quarentine.

26 *G.* 2. c. 6. *Brit.* Ships coming from places infected with the plague to perform quarentine. QUARENTINE, 1.

No perſons or goods to be landed or put on board any other ſhip before quarentine is performed. *ibid.*

Notice to be given of the appearance of the plague on board any ſhip, and the maſter diſobeying orders, guilty of felony. *ibid.* 2.

Ships arriving from places infected to be viſited by officers. *ibid.* 3.

Bill of health and log-book to be delivered to officers. *ibid.* 4.

Quarentine.

Penalty of 500l. on maſters of ſhips going on ſhore, &c. *ibid.* 5.

Force may be uſed for prevention of perſons attempting to go on ſhore, and penalty. *ibid.*

Lazarets may be erected for depoſiting and airing goods. *ibid.* 6.

Officers may compell the performance of quarentine. *ibid.* 7.

Perſons eſcaping from lazarets, &c. guilty of felony. *ibid.* 8.

Perſons performing quarentine to obey orders. *ibid.* 9.

Perſons entering lazarets where there is infection, ſhall remain there and perform quarentine. *ibid.* 10.

Officers neglecting their duty diſqualified and forfeit 100l. *ibid.* 11.

Upon proof of having performed quarentine and being free from infection, no further reſtraint. *ibid.* 13.

Goods opened and aired, upon certificate, to be diſcharged. *ibid.* 15.

Officers demanding fees for oaths or certificates, to forfeit 100l. *ibid.* 16.

Officers or watchmen deſerting their duty, &c. guilty of felony. *ibid.* 17.

Perſons concealing or conveying away goods from ſhips under quarentine, guilty of felony. *ibid.* 18.

Bond to be given by maſters of boats under 20 tuns. *ibid* 19.

Orders and proclamations to be read in churches. *ibid.* 20.

General iſſue pleadable in ſuits, and treble coſts given. *ibid.* 21.

Attainders by this act, not to work corruption of blood, &c. *ibid.* 22.

26 *G.* 2. c. 18. Goods from the Levant not to be landed without a clean bill of health. *ibid.* 24.

Quarter-Seſſions. See Juſtices of Peace.

Qui Tam. See Information.

Quit rents.

14 & 15 *C.* 2. c. 2. Rents to be paid to the king by every adventurer and ſoldier, &c. ſettled in lands, &c. QUIT RENTS, 1.

17 & 18 *C.* 2. c. 2. All lands by this or the former act veſted in his majeſty, &c. the ſequeſtred lands of the proteſtants of Ireland excepted, ſhall be ſubject to pay quit-rents to the king. *ibid.* 2.

It ſhall be lawful for the lord lieutenant, &c. to make abatements of quit-rents. *ibid.* 3.

9 *W.* 3. ſeſſ. 1. c. 31. Acquittances of collectors for quit-rents, &c. good in law againſt the king, &c. *ibid.* 4, 5

Collectors fees for quit-rent, &c. *ibid.* 6, 7.

Collectors ſhall prepare a book yearly, and enter all receipts, &c. for quit-rents, &c. in preſence of the party paying the ſame. *ibid.* 8.

11 *W.* 3. c. 2. *Eng.* Forfeited eſtates in Ireland ſhall after ſale thereof be ſubject to ſuch crown rents, quit rents, &c. as they were liable to on the 13th of February 1688, &c. *ibid.* 9.

Not to extend to make void any grant of quit-rent made in conſideration of any juſt debts releaſed to the crown, &c. *ibid.* 10.

1 *A.* ſeſſ. 2. c. 21. *Eng.* Truſtees of forfeited eſtates in Ireland, to apportion quit-rent, &c. of the ſame parcels, &c. *ibid.* 11.

3 *G.* 3. c. 22. Orders to be made by the court of exchequer, upon petitions relative to quit-rents. *ibid.* 12.

Certificate from the auditor-general and fees to be paid. *ibid.* 13.

Diſcharge for arrears of quit-rent by order of court *ibid.* 14.

Liſts to be made by collectors of lands, &c. liable to quit rents. *ibid.* 15.

To be read in open court on the 2d day of the aſſiſes. *ibid.* 16.

Quo Warranto.

18 *E.* 1. ſtat. 2. *Eng.* All who can verify by the county, &c. that they or their anceſtors have uſed liberties before the time of king Richard, &c. the king ſhall confirm their eſtates, &c. QUO WARRANTO, 1.

All judgments that are given in pleas of quo warranto for the king, if the parties grieved come before the king, he ſhall give them ſuch remedy as before. *ibid.* 2.

—— ſtat. 3 *Eng.* All who claim to have quiet poſſeſſion of any franchiſe before the time of king Richard, and ſhew the ſame by lawful inqueſt, ſhall enjoy their poſſeſſion. *ibid.* 3.

30 *E.* 1. ſect. 1. *Eng.* The form of writ by which prelates, &c. ſhall uſe their liberties. *ibid.* 4, 5.

Writs ſhall be directed to the ſheriffs in the ſame form and the form herein receited is changed after the diverſity of the liberty. *ibid.* 6, 7.

The cauſe of publickly proclaiming is put in the writ of common ſummons of the juſtices in eyre, and ſhall have a warning of 40 days as the common ſummonſes hath; and if it appear that the anceſtors of the claimant died ſeized, the king ſhall have a writ out of chancery in the form herein receited. *ibid.* 8.

Rape.

3 *E.* 1. c. 13. *Eng. Weſt.* 1. Raviſhing any woman puniſhable by impriſonment, &c. RAPE, 1.

13 *E.* 1. c. 34. *Eng. Weſt.* 2. If a man raviſh a woman married, &c. not conſenting before or after, he ſhall have judgment of life and member, &c. *ibid.* 2.

6 *R.* 2. c. 6. *Eng.* The raviſher and raviſhed are both diſabled, where ſhe conſents after, to claim any inheritance. *ibid.* 3.

In appeal of rape, the huſband, father, &c. ſhall have the ſuit, and no wager of battle allowed. *ibid.*

A woman raviſhed, and after conſenting to the raviſher loſeth dower. *ibid.*

Rape.

8 *E.* 4. c. 1. *Eng.* The ſtat. 6 *R.* 2. c. 6. *Eng.* to be in force in Ireland. *ibid.* 4.

11 *J.* 1. c. 3. Rape made felony without benefit of clergy. CLERGY, 7.

Receipt.

20 *E.* 1. ſtat. 3. *Eng.* The defendant who by colluſion, prayeth to be received, to defend a ſuit to delay the demandant, ſhall be amerced. RECEIPT, 1.

13 *R.* 2. c. 17. *Eng.* If tenant for life in dower, *&c.* be impleaded, the reverſioners ſhall be received to defend the title, *&c.* *ibid.* 2.

Provided that they in the reverſion which pray to be received, ſhall find ſureties of the iſſues of the tenements demanded, *&c.* *ibid.* 3.

Recognizances.

34 *H.* 8. ſeſſ. 1. c. 2. Perſons in the king's ſervice to oppoſe inſurrections, *&c.* and being bound by recognizance to appear, *&c.* may have a writ to the king's courts, *&c.* to diſcharge the forfeiture, except for breach of the peace, but he muſt appear at his return from ſuch ſervice. RECOGNIZANCES, 1 to 5.

10 *C.* 1. ſeſſ. 2. c. 3. Fee to clerk of the recognizance in chancery for entering a recognizance, *&c.* 8s. *&c.* FRAUDS, &c. 10.

The tenor, *&c.* of all recognizances, *&c.* in what time to be entered, and where, and ſuch as are not within 4 months delivered to be entered, and ſhall be void againſt purchaſers. *ibid.* 10, 11.

c. 18. Coroners on inqueſt of murder, *&c.* to bind the deponents in a recognizance, to appear at the aſſiſes, *&c.* BAIL, 6.

Juſtices, *&c.* have power to bind all perſons giving examinations, *&c.* by recognizance, *&c.* to appear at the next gaol delivery to proſecute, *&c.* *ibid.*

10 *C.* 1. ſeſſ. 3. c. 20. It is felony to acknowledge a recognizance, *&c.* in the name of another perſon not privy thereto. FELONY, *&c.* 13.

7 *W.* 3. ſeſſ. 1. c. 12. No recognizance ſhall bind a purchaſer *bona fide*, but from the inrolment. RECOGNIZANCES, 5.

6 *G.* 1. c. 6. All recognizances taken in the king's bench to be delivered at the end of every term to the reſpective prothonotaries, *&c.* by the judges. *ibid.* 6.

Records.

9 *E.* 3. c. 5. *Eng.* Juſtices of aſſiſe, *&c.* yearly, *&c.* to ſend all their records, *&c.* executed into the exchequer, but the eſtrates to be ſent as uſual. RECORDS, 1.

Records of juſtices of gaol delivery, *&c.* to be ſent into the exchequer. *ibid.*

8 *R.* 2. c. 4. *Eng.* Falſe entering of pleas how puniſhable, *&c.* *ibid.* 2.

11 *H.* 4. c. 3. *Eng.* Juſtices aſſigned to take aſſiſes, ſhall cauſe all records to be delivered into the treaſury every ſecond year, *&c.* *ibid.* 3.

8 *H.* 6. c. 12. *Eng.* If any record, *&c.* be ſtolen by any perſon, ſuch perſons ſhall be adjudged felons, *&c.* *ibid.* 4.

Recoveries.

13 *E.* 1. c. 4. *Eng.* Dower, *&c.* how recoverable. RECOVERIES, 1.

33 *H.* 8. c. 11. A termor for years may falſify a feigned recovery for his term only, and ſhall enjoy againſt his leſſor. *ibid.* 3, 4.

Recoverer hath like remedy againſt the termor, *&c.* as the leſſor had. *ibid.*

c. 13. Recoverer may bring *quare impedit* as the leſſor, *&c.* might before, and have all other remedies for rent, *&c.* *ibid.* 7.

10 *C.* 1. ſeſſ. 3. c. 11. All recoveries againſt tenant for life, *&c.* after poſſibility, *&c.* againſt the reverſioner, *&c.* void, unleſs they aſſent thereto. *ibid.* 8, 9, 10.

8 *G.* 1. c. 6. The owner of any lands, *&c.* though let for lives, may make a tenant to the *Præcipe*, &c. as if no ſuch leaſe had been made. *ibid.* 11.

21 *G.* 2. c. 11. Recoveries ſhall be valid without ſurrender from leſſees to make a tenant to the writ of entry, *&c.* *ibid.* 10.

This act ſhall not confirm recovery before ſuffered by any tenant in tail, *&c.* who is dead, where the heir or remainder-man is in poſſeſſion. *ibid.* 11.

Nor to recoveries where any ſuit is depending or ſhall be commenced, *&c.* within one year from the 25th of March 1748. *ibid.*

The ſuit in behalf of infants to be commenced by fathers, guardians, or other perſons. *ibid.*

——In behalf of *femes covert*, by their husbands or next friend. *ibid.*

——Of madmen, idiots or lunaticks, by their guardians. *ibid.*

Perſons intitled to the firſt eſtate for life, *&c.* after determination of the eſtate of ſuch leſſees, muſt join in conveying an eſtate for life to the tenant to the *præcipe*. *ibid.* 12.

Eſtate of leſſees or perſons claiming under them not to be prejudiced. *ibid.* 13.

Purchaſers in poſſeſſion 20 years may produce the deeds for making a tenant to the *præcipe*, &c. as evidence of a recovery. *ibid.* 14.

No deed ſhall be evidence, unleſs acknowledged and inrolled in the common pleas in 6 months after the execution. *ibid.* 15.

Nor unleſs the perſon had a power to make a tenant to the *præcipe*, and ſuffer ſuch recovery. *ibid.* 16.

All recoveries ſhall be deemed valid after 20 years though the deed making ſuch tenant ſhould be loſt, if the perſon had eſtate and power. *ibid.* 17.

Recoveries ſhall be good, though the fine or deed making ſuch tenant be executed after judgment in the recovery, provided it be in the ſame term, and that the party had eſtate and power. *ibid.* 18.

Recoveries already avoided, or for avoiding whereof any ſuit is depending, not to be valid by this act. *ibid.* 19.

Rectories and Vicarages. See Augmentation of Benefices.

Registry.

6 *A.* c. 2. A public office erected in Dublin for registring deeds, *&c.* REGISTER, 1.

Upon registers death their executors, *&c.* to act till another be appointed. *ibid.* 2

All deeds, *&c.* made after March 1708, may be registered at the election of the party, and shall be good according to its priority, *&c.* against all other dispositions of the same lands, *&c.* *ibid.* 3, 4.

Conveyances, *&c.* not registered deemed fraudulent against deeds, *&c.* registered, *&c.* *ibid.* 5.

Memorials how to be written, proved, *&c.* *ibid.* 6.

The like of wills, *&c.* *ibid.* 7.

Memorials what to contain, *&c.* Register to indorse a certificate thereon which shall be evidence. *ibid.*

Register to keep an alphabetical calendar of all the counties, *&c.* and of the names of the parties, *&c.* and to give security for faithful performance, *&c.* and in what time recognizance to be void. *ibid.* 7, 8, 9.

Penalty on register not giving daily attendance, or suffering fraudulent practices, *&c.* and fees to register. *ib.* 1 to 13.

This act not to extend to a lease for 21 years, *&c.* in possession. *ibid* 14.

Several deeds, *&c.* affecting the same lands being but one conveyance, once mentioning the lands, *&c.* sufficient in a memorial. *ibid.* 15.

Above 60 miles from Dublin before whom affidavit of the memorial may be made, *&c.* *ibid* 16.

Persons forging a memorial, *&c.* liable to 28 *E.* c. 3. *ibid.* 17.

Devisees without wilful default, have 6 months after impediment removed to register the will, *&c.* registers to be resident, *&c.* *ibid.* 18. 19

8 *A.* c. 10. Before whom affidavit of the execution of memorials in Great Britain to be made, and in such case, deed need not be produced to the register. *ibid.* 20.

Register, *&c.* on a certificate signed, *&c.* by a mortgagee, *&c.* to enter satisfaction in the margin of the memorial of such deed, *&c.* Forgery and perjury punished as in other cases. *ibid.* 21, 22, 23, 24.

8 *G.* 1. c. 2. The landlord, *&c.* may proceed in his ejectment to execution, and not summon any mortgagee, *&c.* unless the mortgagee be registered, *&c.* RENTS, 29.

——c. 14. All deeds, *&c.* by bankers of any real estate, *&c.* to be inrolled in chancery, and registered in a month from the perfection, *&c.* BANKERS, 5.

——c. 15. Where the grantees, *&c.* die before executing a memorial, the heirs, *&c.* may execute the same, *&c.* REGISTER, 25.

Persons requiring a negative certificate from the register to lodge a note in writing with him, *&c.* and thereupon the register is to give a negative certificate. *ibid.* 26.

Penalty on register guilty of fraud, *&c.* in such certificate. *ibid.*

Registry.

In what manner satisfaction may be entered on a mortgage where payment of mortgage money cannot be proved. *ibid.* 27.

Forgery and perjury punished as in other cases. *ibid.* 28, 29.

5 *G.* 2. c. 4. All deeds, *&c.* made by tradesmen, *&c.* whereby their goods are chargeable after their death with any sums for the use of the wife, *&c.* void against the creditors, *&c.* unless registered within 4 months from the making. *ibid.* 30.

Regrators. See Forestallers.

Rents.

10 *C.* 1. sess 2. c. 5. Executors, *&c.* of tenants in fee simple, *&c.* may bring action of debt for rent unpaid at the death of the testator, *&c.* or may distrain, *&c.* as long as the lands continue in the demesne of the same tenant, *&c.* RENTS, 1.

The husband after death of the wife may have like remedy. *ibid* 2.

The like remedy against tenants *pur auter vie*, where the *cestuy ques vie* dies. *ibid* 3.

9 *A.* c 8. No goods, *&c.* shall be removed from any lands unless, *&c.* the party pay the rent due to the landlord not exceeding one year, *&c.* *ibid* 4.

The landlord to make affidavit if required thereof. *ibid.* 5.

When the landlord may seize the goods of any lessee conveyed from the premisses, and sell the same, *&c.* *ibid.* 6.

Landlords not impowered to distrain for rent but on the demised premisses, *&c.* *ibid.* 7.

An action of debt may be brought for rent on a lease for life as on a lease for years. *ibid.* 8.

Money arising by sale of such distresses to be distributed in like manner as distresses for rent. *ibid.* 9.

Landlord may in 6 months after the determination of any lease distrain for his rent, if his title and the tenants possession subsist. *ibid.* 10, 11.

Nothing in this act shall prejudice her majesty in the levying any debts or forfeitures. *ibid.* 12.

11 *A.* c. 2. Tenants holding lands after the determination of their terms, and due notice, *&c.* being served shall be liable to double the yearly value of said lands. *ibid.* 13.

As often as one year's rent shall be in arrear, the landlord may serve a summons in ejectment, which summons without any other formal demand shall serve instead of a demand and re-entry. *ibid* 14.

Nothing herein shall extend to bar the right of any mortgagee of such lease who shall not be in possession. *ibid.* 15.

The landlord entering shall be accountable to the lessee for no more than what without fraud he made of the premisses whilst actually in possession, and the lessee to make good the surplus of the rent in that time if it fall short. *ibid.* 16.

Rents.

On payment of the rent, &c. before trial, the ejectment to ceaſe, and if leſſee after judgment be relieved in equity he may enjoy without a new leaſe. *ibid.* 17.

Aſſignees of all the reſidue of the term for lives or years ſhall be ſubject to all the covenants in the leaſe. *ibid.* 18.

The ſame remedy by diſtreſs for rent-ſeck, &c. as for a rent-charge. *ibid.* 19.

The rights of infants, &c. not to be prejudiced. *ibid.* 20.

4 *G.* 1. c. 5. The landlord from whom a diſtreſs is reſcued may bring ejectment as if no diſtreſs was found on the premiſſes, and on non-payment of the rent, &c. in 6 months after judgment, the leſſee, &c. ſhall be barred, except by error only, and the premiſſes be diſcharged of the leaſe. *ibid.* 21.

Where one year's rent is behind though a diſtreſs is found, the landlord may bring ejectment, and the ſum in arrear ſhall be aſcertained, &c. and on non-payment thereof, the leſſee ſhall be barred as aforeſaid, the proceedings to be as on 11 *A.* *ibid.* 22.

Not to extend to bar the right of any mortgagee of ſuch leaſe who ſhall not be in poſſeſſion. *ibid.* 23.

This act ſhall not extend to defeat the right of infants, &c. *ibid.* 24.

8 *G.* 1. c. 2. On ejectment brought, notice muſt be given if the ſame be brought for non-payment of rent, and on proof of the counterpart of the leaſe and poſſeſſion, &c. the plaintiff ſhall recover as by the former act. *ibid.* 25.

No privilege of parliament ſhall be allowed in any ejectment for the recovery of lands, &c. for non-payment of rent, &c. after the determination of their term contrary to the intent of this act. *ibid.* 26.

In four days after tender of a writ of error the ſum due to be depoſited in court, &c. or elſe the execution to iſſue. *ibid.* 27.

If a mortgagee of a leaſe being duly ſummoned, do not pay the ſum due to the landlord, &c. in 9 months after judgment he ſhall be barred, &c. *ibid.* 28.

Landlord, &c. may proceed in his ejectment, &c. and not ſummon any ſuch mortgagee, unleſs the mortgage be regiſtered in 6 months after perfection, and on default thereof, landlord to proceed to execution, &c. *ibid.* 29.

In all ejectments brought for non-payment of rent, notice ſhall be given in writing that the ſame was brought for non-payment of rent. *ibid.* 30.

5 *G.* 2. c. 4. Ejectment may be brought for nonpayment of rent, though there be no clauſe of re-entry in the leaſe, &c. and the leſſor, &c. ſhall have the ſame remedy for arrears of rent due before the ejectment to the time of execution, as if no ejectment had been brought. *ibid.* 31, 32.

Where it appears to the court that no counterpart of a leaſe was perfected, the original leaſe may be given in evidence. *ibid.* 33.

Plaintiff in equity ſhall have no injunction for want of an anſwer to ſtop proceedings on an ejectment for rent, &c. unleſs he verifies the material allegations of his bill, &c. *ibid.* 34, 35.

11 *G.* 2. c. 15. Biſhops on tranſlation may have an action of debt for arrears of rent, if ſuch action be commenced, &c. within two years after ſuch tranſlation. *ibid.* 36, 37.

15 *G.* 2. c. 8. Landlords may ſeize and diſpoſe of goods taken away to avoid payment of arrears of rent where ever they find them. *ibid.* 38 to 41.

Grantees, &c. may ſeize for arrears of rent any chattles, &c. belonging to the reſpective tenants depaſturing on any appurtenant, &c. and diſpoſe thereof as if diſtrained on the premiſſes. *ibid.* 42.

25 *G.* 2. c. 13. Double value under 20*l.* recoverable by civil bill from tenants holding over. *ibid.* 42 to 45.

Ejectment for non-payment of rent for one year maintainable on any article in writing, and the poſſeſſion to be recovered as if ſuch article contained an actual demiſe, or a clauſe of re-entry had been ſpecified. *ibid.* 45, 46.

On ſuch ejectment a copy of a counterpart unperfected or loſt, or the original article, or a copy thereof, ſhall be admitted in evidence. *ibid.* 47.

29 *G.* 2. c. 12. Bonds or contracts, to prevent diſtraining for rents, void. *ibid.* 48.

Penalty for writing threatening letters to prevent ſetting land, or diſtraining for rents. *ibid.* 49.

1 *G.* 3. c. 17. The preceding act is made perpetual. *ibid.*

Replevin.

52 *H.* 3. c. 21. *Eng.* Where beaſts are wrongfully withholden, the ſheriff may grant replevin. REPLEVIN, 1.

3 *E.* 1. c. 17. *Weſtm.* 1. *Eng.* If any detain the cattle of others in a caſtle, &c. and after the ſheriffs replevy ſuch cattle, he is deforced of the deliverance, the King for ſuch treſpaſs ſhall cauſe the cattle, &c. to be beaten down, and plaintiff ſhall recover double damages. *ibid.* 2.

13 *E.* 1. c. 2. *Weſtm.* 1. *Eng.* Where lords of fees cannot obtain juſtice of tenants in the county, a writ ſhall be granted them to put the matter before the juſtices, &c. *ibid.* 3.

When a *returno habendo* is awarded, the beaſts ſhall not be replevied again but by a writ of ſecond deliverance. *ibid.* 4.

8 *G.* 1. c. 6. All ſeneſchals, &c. of inferior courts granting replevin, may take bonds for the goods, &c. *ibid.* 5.

The ſeneſchals, &c. of inferior courts ſhall aſſign to the avowant, &c. bond taken from the plaintiff in replevin, by indorſing the ſame before witneſſes, &c. *ibid.* 6.

Reſcue. See Felony, Tranſportation.

Reſidence.

9 *E.* 2. c. 8. *Eng.* Such clerks as attend in the King's ſervice ſhall be corrected by their ordinaries, &c. RESIDENCE, 1.

36 *H.* 6. c. 1. Beneficed perſons ſhall reſide on the lands enjoyed by them. *ibid.* 2.

Return of Writs.

28 *E.* 1. c. 16. *Artic. Super. Chart. Eng.* Penalty on ſheriffs making falſe returns of writs. RETURN OF WRITS, 1.

Return of Writs.

12 *E.* 2. c. 5. *Eng.* In what manner ſheriffs are to return writs delivered to them by bailiffs of franchiſes. *ibid.* 2.

1 *E.* 3. c. 5. *Eng.* Averment ſhall be granted againſt bailiffs of franchiſes, who make falſe returns. *ibid.* 3.

2 *E.* 3. c. 5. *Eng.* Penalty on ſheriffs refuſing to make bills on the writs delivered to them. *ibid.* 4.

Revenue-officers.

33 *G.* 2. c. 10. Penalty of fifty pounds on refuſing entrance into ſhips to officers appointed to go on board. REVENUE-OFFICERS, 1.

Penalty of twenty pounds on officers ſecreting tea, or any exciſeable goods. *ibid.* 2.

Officers may break open houſes to ſearch for goods, that have not paid duties. *ibid.* 3.

Officers to make proof of a probable cauſe of ſuſpicion. *ibid.* 4.

Penalty of 100 l. for aſſaulting an officer or his aſſiſtants. *ibid.* 5.

Officers may enter into ſhops or ware-houſes where foreign ſpirits or tobacco are ſold by retail, and take an account. *ibid.* 6.

Who are to be deemed retailers of ſpirits or tobacco. *ibid.*

Penalty of fifty pounds for refuſing entrance. *ibid.* 8.

Gauger and his ſureties chargeable with money received for his Majeſty's uſe. *ibid.* 9.

Oaths to be taken by officers before any juſtice of peace. *ibid.* 10.

Hours of attendance of officers on the cuſtom-houſe quays. *ibid.* 11.

General iſſue pleadable by officers and their aſſiſtants. *ibid.* 12.

Notice in writing to be given fourteen days before trial, of any records to be uſed. *ibid.* 13.

Atteſted copies of the entries of commiſſions made evidence. *ibid.* 14.

Twenty days notice of trial to be given. *ibid.* 14.

Penalty of one hundred pounds for offering a bribe to an officer. *ibid.* 15.

The like penalty on officers accepting a bribe. *ibid.*

Abſtracts of accounts ſent up by collectors, evidence againſt them. *ibid.* 16.

Affidavit to be annexed to the quarterly accounts of collectors. *ibid.* 17.

Oaths of office by whom to be adminiſtered to commiſſioners of the revenue. *ibid.* 18.

3 *G.* 3. c. 21. Officers on board ſhips to be accommodated with beds or hammocks. *ibid.* 20.

5 *G.* 3. c. 16. Collectors or their clerks, deſtroying books of accounts, guilty of felony. *ibid.* 21.

Secreting books of accounts and refuſing to deliver them up, felony. *ibid.* 22.

Collectors abſconding, notice to be fixed on the cuſtom-houſe door. *ibid.* 24.

Proſecution to be in two years after the offence committed. *ibid.* 25.

Riots.

13 *H.* 4. c. 7. *Eng.* Two juſtices of the peace, *&c.* ſhall ſuppreſs riots, &c. and arreſt the offenders, *&c.* if the rioters be diſperſed inquiry to be made in a month, and certificate to be made to the council. RIOTS, 1 to 3.

Penalty on juſtices of peace neglecting their duty. *ibid.* 4.

2 *H.* 5. c. 8. *Eng.* Iſſues on juries returned on inqueſt of a riot, 20 s. the firſt, *&c.* *ibid.* 5.

Riots, *&c.* in a corporation to be ſuppreſſed by the chief officers there. *ibid.* 6.

On default of juſtices of the peace, a commiſſion ſhall iſſue out of chancery at the inſtance of the party aggrieved, *&c.* *ibid.*

A riot ſhall be repreſſed, *&c.* at the King's charge, *&c.* heinous rioters to ſuffer, *&c.* All perſons to aſſiſt the juſtices, *&c.* *ibid.* 6.

c. 9. *Eng.* Upon a bill of complaint for riots preferred to the lord chancellor, teſtified, *&c.* the lord chancellor to ſend out a *capias*, *&c.* *ibid.* 7.

On a *non eſt inventus* returned, a writ, *&c.* ſhall go into B. R. before return of which, if the rioters render not themſelves, they ſhall ſtand convicted. *ibid.* 8.

8 *H.* 6. c. 14. *Eng.* The ſtatute 2 *H.* 5. c. 9. ſhall be kept. *ibid.* 9.

Two juſtices of peace ſhall certify the ſame of the county, of the riot, before a *capias* iſſues. *ibid.* 10.

3 *G.* 3. c. 19. On notice of riotous aſſemblies, magiſtrates to endeavour to apprehend and diſperſe them. *ib.* 11.

No proſecution for killing or maiming any of the perſons ſo aſſembled. *ibid.*

Indemnity for having heretofore killed or maimed any ſuch perſons. *ibid.* 12.

5 *G.* 3. c. 8. Five or more, meeting by night to commit any violences, felons, without clergy. *ibid.* 13.

Meeting in the day time to commit outrages, felony and tranſportation. *ibid.* 14.

Satisfaction for damages to be made by the barony. *ibid.* 15.

Breaking open gaols, felony without clergy. *ibid.* 16.

Reſcuing perſons committed for treaſon or felony, is made felony of death. *ibid.* 17.

Impoſing oaths or ſolemn engagements, *&c.* felony. *ibid.* 18.

Juſtices may ſummon and examine perſons ſuſpected to have taken oaths. *ibid.* 19.

Juſtices of foreign counties may commit offenders. *ib.* 20.

Examinations to be returned to the aſſizes for the county where the offence was committed. *ibid.* 21.

Juſtices to attend to give evidence. *ibid.* 22.

This act to be read publickly at every aſſizes and ſeſſions. *ibid.* 24.

Rivers.

28 *H.* 8. c. 22. Sheriffs, *&c.* of the counties of Kildare, *&c.* may pull down wears on the Barrow, &c. and make paſſages for boats, *&c.* without fees, &c. RIVERS.

Robbery.

3 *E.* 1. c. 9. *Eng.* All ſhall be ready at the ſheriffs ſummons' &c. to purſue felons, and if any neglect the ſame they ſhall be grievouſly fined. ROBBERY, 1.

13 *E.* 1. c. 1. *Winton. Eng.* Hue and cry, &c. ſhall be made in all counties, &c. after robbers, &c. *ibid.* 2.

c. 2. *Eng.* On default of inqueſts being made in towns, *&c.* where felonies have been committed, the inhabitants of the county ſhall be anſwerable for the robbery. *ibid.* 3.

c. 4. *Eng.* Watchmen may arreſt any perſons paſſing through towns at unſeaſonable hours and detain them, and on reſiſtance may alarm the town, and purſue them with hue and cry, *&c* *ibid* 4.

c 6. *Eng.* The conſtables ſhall preſent before aſſigned juſtices ſuch defaults as they ſhall have found in purſuits, *&c.* *ibid* 5.

28 *E.* 1. c. 17. *Eng.* The ſtat. of *Weſt.* 13 *E.* 1. to be read four times yearly. *ibid* 6.

3 *E.* 2. c. 1. If lords ſhall take prizes from the people, *&c.* it ſhall be deemed robbery. *ibid.* 7.

c. 2. If kerns, &c. take any thing againſt the will of the perſon, they ſhall be proceeded againſt as robbers. *ibid.* 8.

5 *E.* 3. c. 14. *Eng.* Robberdſmen, *&c.* may be arreſted by day or night on ſuſpicion of robbery, *&c.* *ibid.* 9.

7 *R.* 2. c. 6. *Eng.* Sheriffs ſhall be bound to make proclamation of the ſtature of Wincheſter four times a year in every bailiwick, *&c.* *ibid.* 10

28 *H.* 6. c. 3. It ſhall be lawful for all ſubjects to kill robbers when found robbing either by day or night, *&c.* *ibid.* 11.

10 & 11 *C.* 1. c. 13. The inhabitants of every barony on defect of freſh ſuit after hue and cry made, ſhall be liable to half the damages, *&c.* *ibid.* 12.

Suits commenced by the clerk of the peace ſhall not be abated by his death, but may be carried on by his ſucceſſor, *&c.* *ibid.* 13.

Two magiſtrates may aſſeſs all the towns, *&c.* within the hundred, *&c.* in equality for the relief of the inhabitants againſt whom the party robbed had their execution, &c. *ibid.* 14.

The conſtable, &c. having collected the ſaid rates, ſhall in ten days deliver up the ſame to the juſtices of peace to be diſtributed, &c. *ibid.* 15.

The like aſſeſſment ſhall be in every hundred, &c. where default of purſuit ſhall be, &c. *ibid.* 16.

The barony, &c. ſhall not incur the penalty mentioned, where one of the malefactors is taken, &c. *ibid.* 17.

No purſuit, &c. ſhall be allowed lawful, except made by footmen and horſemen. *ibid.* 18.

No perſons robbed ſhall receive any benefit by virtue of this ſtatute, except they ſpeedily alarm the neighbourhood by notice of the felony, &c. *ibid.* 19.

7 *W.* 3. c. 21. Robberies not exceeding 10l. are to be aſſeſſed on the barony, &c. and not to extend to the whole county, &c. *ibid.* 20, 21.

Every perſon robbed may recover damages againſt any inhabitant of the county, *&c.* half to anſwer any part thereof, the other inhabitants ſhall be rateably taxed towards an equal contribution for the relief of ſuch inhabitant, *&c.* *ibid.* 22.

Robbery.

This act not to extend to any except they give in examinations in four days after ſuch robbery, *&c.* *ibid.* 23.

Preſentment ſhall be made by the grand jury before ſuch damages can be recovered, *&c.* *ibid.* 24.

Perſons proclaimed as tories, *&c.* if they do not tender themſelves to ſome juſtice of peace in the county where ſuch preſentment ſhall be made within the limited time, to be from thenceforth convict of high treaſon, &c. *ibid.* 25.

c. 26. The juſtices of aſſiſe, *&c.* may tax what reaſonable ſums they ſhall think proper within their commiſſions for encouragement of killing, *&c.* rapparees, &c. *ibid.* 26.

The ſum for the taking of any one tory ſhall not exceed 20l. &c. *ibid.* 27.

9 *W.* 3. c. 34. Where any perſon ſhall be murdered, *&c.* by robbers, *&c* the grand jury may levy on the county any ſum not exceeding 20l. for the benefit of his family, *&c.* *ibid.* 28.

After what manner perſons robbed are to proceed at the aſſiſes for the recovery of damages ſuſtained by robbers, *&c.* *ibid.* 29.

Perſons aggrieved by preſentments, if exceeding 5l. may traverſe the ſame, &c. *ibid.* 30.

Perſons determined to proceed for recovery muſt give notice to the high conſtable in writing, before the aſſiſes, that he may warn the inhabitants to prepare their objections, *&c.* *ibid.* 31.

No ſuch preſentment ſhall be removed by *certiorari*, &c. *ibid.* 32.

The perſons on whom ſuch preſentment is levied, ſhall have the benefit of the ſtolen goods, *&c.* if afterwards diſcovered, &c. *ibid.* 33.

The clerk of the crown for ſuch county ſhall deliver true copies of ſuch preſentments to any requiring them, for which he ſhall take 1 s. &c. *ibid.* 34.

This act ſhall not extend to annul any verdict or judgment obtained in purſuance of the ſaid former act. *ibid.* 35.

During the continuance of this act no ſuit ſhall be brought for recovery of damages, for which remedy is given by this act, &c. *ibid.* 36.

If any robber ſhall make diſcovery of any of his accomplices, ſo that they be proſecuted to conviction, he ſhall receive his Majeſty's pardon for all former offences, *&c.* *ibid.* 37.

During the continuance of this, or the former act, the printed proclamation of any grand jury repreſenting any perſon to be a tory, *&c.* ſhall be ſufficient evidence againſt ſuch tory, *&c.* *ibid.* 38.

The clerk of the crown ſhall certify that the printed proclamation agrees *verbatim* with the original before it be allowed as evidence, *&c.* *ibid.* 39.

2 *A.* c. 12. Juſtices of aſſiſe after pronouncing the ſentence of the law on perſons convicted for harbouring, *&c.* proclaimed tories, *&c.* may reſpite the ſame if they think them objects of mercy, *&c.* *ibid.* 40.

6 *A.* c. 11. All perſons pretending to be robbed ſhall not only give notice to the juſtice of peace, but alſo to the conſtables to have the ſame publiſhed, *&c.* *ibid.* 41.

Robbery.

Poor people being aggrieved by applotment of robbery money, ſhall on oath at the next aſſiſes be relieved, &c. *ibid.* 42.

Any perſon who ſhall diſpoſe of his ſubſtance in order to evade paying his proportion of the applotment, ſhall be liable to impriſonment. *ibid.* 43.

Harbourer of tories, &c. detecting and convicting others ſhall be diſcharged of his former crimes of harbouring. *ibid* 44.

Preſentments of robberies to be made the enſuing aſſiſe, unleſs committed too near the aſſiſes, &c. *ibid.* 45.

4 G. 1. c. 9. Any perſon having committed a robbery, who while at large ſhall apprehend any other proclaimed robbers then on their keeping, ſhall not be proceeded againſt for any of his former crimes, &c. *ibid.* 46.

6 G. 1. c. 12. The grand jury on preſentment of robbery money, ſhall name the perſons againſt whom execution ſhall iſſue. *ibid.* 47.

The perſon ſo preſented ſhall not be taken into actual execution until 41 days after ſuch money ſhall be applotted, &c. *ibid.* 48.

Any grand jury may raiſe a reward of 20l. for the taking of any tory, &c. whether taken in the ſame, or any other county *ibid.* 49.

Examinations ſhall be lodged with the clerk of the crown, and a copy thereof preſented to the chief governors, &c. before any grand jury ſhall proclaim any perſon to be a tory, &c. *ibid.* 50.

9 G. 2. c. 6. All robberies committed by privateers in time of war with any popiſh ſtate, &c. ſhall be applotted in like manner as robbery money, &c. *ibid.* 51.

17 G. 2. c. 6. A ſum not exceeding 5 l. ſhall be given for apprehending to conviction any perſon guilty of robbery in this kingdom, for which no reward was offered before the making of this act, &c. *ibid.* 52.

21 G. 2. c. 12. Perſons with weapons violently aſſaulting and demanding money, &c. with felonious intent to commit robbery, guilty of felony, and to be tranſported for ſeven years. *ibid.* 53.

Breaking gaol, or eſcaping before tranſportation, or returning after within the time, to ſuffer death. *ibid.* 54.

Continuation of former acts for 21 years, 29 G. 2. c 8. *ibid.* 55.

Rockets. See Squibs.

Rock Salt. See Salt.

Rogues. See Vagrants.

Rolls. See Records.

Rome.

27 E. 3. ſtat 1. c. 1. *Eng.* If perſon of the King's legiance, &c bringeth things out of this realm, againſt which judgment paſſed in the King's courts, &c. on due notice being given does not appear, ſhall forfeit his eſtate, &c. *ibid.* 1.

If they do not yield themſelves in two months to the proper priſon, the forfeiture ſhall remain, &c. *ibid.*

Rome.

16 R. 2. c. 5. *Eng.* All perſons and their aiders, &c. who ſhall bring bulls, &c. within this realm, to the King's detriment, &c. ſhall have all their lands, &c. confiſcated, &c. *ibid.* 2.

28 H. 8. c. 19. None to pay penſions, &c. to the biſhop of Rome. *ibid.* 3.

None of the King's ſubjects, &c. ſhall ſue to Rome, &c. for diſpenſations, &c. *ibid.* 4.

2 El. c. 1. So much of an act made in the 33d year of the reign of king Henry the 8th, intituled, *an act for marriage*, as doth concern degrees of conſanguinity, and the ſtat. 28 H. 8. c. 19. *The act for appeals*, ſhall be revived. *ibid.* 5, 6.

All ſtatutes repealed by Philip and Mary, and not revived in this preſent act, ſhall remain repealed as before the making of this act. *ibid.* 7.

Ropes. See Cordage.

Sabbath. See Holy-Days.

Sacrament. See Service and Sacraments.

Sacrilege. See Clergy.

Safe Conduct.

15 H. 6. c. 3. *Eng.* Merchants ſtrangers, &c. to have ſafe-conduct coming into the realm, to buy and ſell. SAFE-CONDUCT, 1.

18 H. 6. c. 8. *Eng.* Enemies ſhips not having ſafe-conduct, to be made prizes. *ibid.* 2.

20 H. 6. c. 1. *Eng.* Letters of ſafe conduct not inrolled in chancery void, if taken on ſea by enemies, and if proved to be ſubjects and inrolled, reſtitution to be made. *ibid.* 3, 4, 5.

31 H. 6. c. 4. *Eng.* In what manner perſons offending ſtrangers in amity ſhall be proceeded againſt. *ibid.* 6.

Sail-cloth.

3 G. 3. c. 34. New ſails, made of foreign ſail-cloth, liable to duty as if in pieces. SAIL-CLOTH, 1.

If landed or put on board another ſhip, without having paid duty, forfeited. *ibid.*

Salmon. See Fiſh.

Salt.

1 A. c. 21. *Eng.* No drawback allowed for exportation of any ſalt for Ireland, until a certificate be produced from the collector. SALT, 1.

2 & 3 A. c. 14. *Eng.* No ſalt of the produce of England, Scotland, or Ireland, or the Iſle of Man, ſhall be imported into England, on pain of being forfeited, &c. *ibid.* 2, 3, 4.

4 A. c. 14. All retailers and ſellers of ſalt muſt ſell by weight, and the offences committed againſt this act to be determined by two juſtices of peace. *ibid.* 5, 6, 7.

Salt.

4 & 5 *A.* c. 12. *Eng.* Any ſalt loſt by ſinking of the ſhip, not to pay duty. *ibid.* 8.

5 *A.* c. 29. *Eng.* No drawback to be allowed on ſalt, unleſs the entry of it be made at the exportation for ſome port in Ireland. *ibid.* 9, 10.

9 *A.* c. 23. *Brit.* During 32 years there ſhall be paid 9s. for every tun of rock ſalt from England to Ireland. No drawback ſhall be allowed except the receipt be delivered to the officer authorized to allow ſuch drawback. *ibid.* 11, 12, 13.

5 *G.* 2. c. 6. & c. 18. *Brit.* What allowance to be made for ſalt imported into Ireland. *ibid.* 14, 15.

5 *G.* 3. c. 16. Salt manufactured in Britain or Ireland not to be exported in ſhips under 120 tons burthen. *ibid.* 16.

To be exported in bulk only, and not in bags or ſacks. *ibid*

Certificate of landing in ſome foreign port. *ibid.*

Cocket to be taken and bond to be given. *ibid.* 17.

Certificate of diſcharge to be returned in 3 months. *ibid.*

Proviſion for ſalt loſt at ſea, or taken by enemies. *ibid.* 19

Exception for ſalt laden to cure fiſh. *ibid.* 20.

Salt neceſſary for ſhip proviſions. *ibid.* 21.

Salvage. See Wreck.

Schools.

28 *H.* 8. c. 15. Archbiſhops, *&c.* giving ordination to ſwear the parſon taking orders to keep an Engliſh ſchool, *&c.* and learn the Engliſh language. SCHOOLS, 1, 2.

Penalty on ſuch perſons appointed on not fulfilling the oaths, *&c.* *ibid.* 3, 4.

12 *El.* c. 1. A free-ſchool ſhall be erected in every dioceſe, the maſters to be Engliſh, or of Engliſh birth. *ibid.* 5

The ſchool-houſe to be built in the principal ſhire town, by direction of the biſhop and ſheriffs. *ibid.* 6.

The governor of the realm to have the nomination of all the maſters, except in the dioceſe of Armagh, Dublin, Meath, and Kildare, *&c.* *ibid.* 7.

All churches, *&c.* by any title inveſted in the Queen, *&c* ſhall be charged with contribution, *&c.* *ibid.* 8.

A public free-ſchool ſhall be kept within each dioceſe, *&c.* *ibid.* 9.

2 *G.* 1. c. 7. Licenſed ſchoolmaſters to have the ſame remedy for their wages as ſervants. *ibid.* 10.

8 *G.* 1. c. 12. Biſhops, *&c.* may by proper conſent inrolled grant two acres of biſhops lands, and one of the others, to churchwardens of each pariſh, *&c.* for the uſe of a proteſtant maſter to teach the Engliſh tongue, but not to create a freehold, *&c.* *ibid.* 11, 12.

12 *G.* 1. c. 9. Biſhops, *&c.* may by deed inrolled ſet apart a plantation acre to him belonging near the cathedral, *&c.* for the uſe of the maſter of the free-ſchool of the dioceſe, *&c.* *ibid.* 13.

Where in any dioceſe a piece of ground is appropriated to the uſe of a dioceſe ſchool, ſuch ground ſhall for ever remain the place of the dioceſe ſchool. *ibid.* 14.

Schools.

No money ſhall be raiſed, by 12 *El.* to build a free-ſchool till ſuch piece of ground is ſet out, and then the grand jury to raiſe the money to build, *&c.* the dioceſe ſchool, and by whom to be paid. *ibid.* 15.

The money to be paid by the treaſurer to the perſons appointed by the grand jury. *ibid.* 16.

The clergy when to account with the ſchool-maſter for his ſalary, and on default of payment in 3 months, *&c.* their benefices to be ſequeſtered. *ibid.* 17.

The archbiſhop of Armagh may demiſe the ſchool land granted by king Charles the 1ſt, for 21 years, not in reverſion for more than one year, and at improved rent, &c. *ibid.* 18.

1 *G.* 2. c. 15. The archbiſhop, &c. may ſet apart for the reſidence of the maſters ſuch lands as may be convenient, and ſuch maſters, &c. improving thereon ſhall be paid by their ſucceſſors, &c. *ibid.*

The maſters may exchange their demeſne lands for others of equal value, &c. by conſent of the ſaid archbiſhop, as by 2 *A.* c. 10. is directed. *ibid.* 19.

5 *G.* 2. c. 4. All perſons ſeized in fee ſimple, &c. with remainder to his own iſſue, may grant one acre, not being demeſne, value 30s. *per ann* and for what uſes, but ſhall create no freehold. *ibid.* 20.

No ſuch grantee ſhall be qualified to vote for a member of parliament. *ibid.* 21.

29 *G* 2. c. 7. Preſentments for the repairs of diocefan ſchool houſes. *ibid.* 23.

5 *G.* 3. c. 6. Demiſes of land not exceeding thirty acres to the incorporate-ſociety, for ſchools. *ibid.* 24.

Seamen.

2 *R.* 2. c. 4. *Eng.* All mariners, ſeamen, &c. flying from their ſervice after receiving their wages, without licence from the admiral, &c. to be impriſoned for a year. SEAMEN, 1.

8 *W.* 3. c. 21. *Eng.* All ſeamen, &c. ſhall pay 6d. *per* month for the ſupport of Greenwich-hoſpital. *ibid.* 2.

10 *A.* c. 17. *Brit.* All perſons employed in making ſhips and fiſhing, &c. to pay 6d. *per* month, and the maſter of every veſſel to deduct the ſame. *ibid.* 3, 4. 5.

In what manner the ſaid money is to be raiſed and paid on penalty. *ibid.* 6, 7, 8, 9.

2 *G.* 2. c. 7. *Brit.* All ſeamen, &c. belonging to his Majeſty's ſhips in all his Majeſty's dominions, ſubject to the 6d. *per* month for Greenwich hoſpital. *ibid.* 10.

And the duty to be paid before ſuch ſhips be cleared outwards or inward. *ibid.* 12.

All penalties relating to the ſaid duties to be equally divided between the ſaid hoſpital and the informer. *ibid.* 13.

General iſſue may be pleaded. *ibid.* 14.

14 *G.* 2 c. 38. *Brit.* No perſon inliſted in his Majeſty's ſervice on ſea to be arreſted, except for criminal matters, or for debt amounting to 20l. to any one perſon, &c. *ibid.* 15

5 *G* 2. c. 13. Contracts to be made with ſeamen for wages and voyage. *ibid.* 16.

Agreements to be concluſive to all parties. *ibid.* 17.

Sea men.

Seamen deſerting forfeit their wages. *ibid.* 18.

Seamen abſenting to be committed to the houſe of correction. *ibid.* 19.

Forfeiture of two days pay for every days abſence. *ibid.* 20.

Forfeiture of one month's pay for quitting their ſhip without a diſcharge. *ibid.* 21.

Wages to be paid in 30 days after entry of the ſhip in the cuſtom-houſe. *ibid.* 22.

Contract not to preclude from recovering wages. *ibid.* 23.

Maſters or owners of ſhips to produce the contracts. *ibid.*

Deduction for penalties and forfeitures incurred by ſeamen. *ibid.* 24.

Forfeiture of treble the value for not paying the ſums deducted to the collectors. *ibid.* 25.

5 *G.* 3. c. 15. Continuation of the preceding act for 10 years. *ibid.* 28.

Servants.

2 *G.* 1. c. 17. Demand of wages of ſervants, *&c.* not exceeding 3 l. may be determined by the next juſtice of the peace, *&c.* and he may ſummon the maſter, *&c.* not being a peer, and on refuſal how to proceed. SERVANTS, 1.

Fees for the ſummons 6 d. warrant 6 d. conſtable 1 s. *ibid.*

Juſtices of peace on proof of miſbehaviour of ſervants, may puniſh them, *&c.* *ibid.* 2.

Puniſhment, *&c.* on ſervants departing their ſervice without licence, unleſs he, *&c.* give a months notice. *ibid.* 3.

The maſter, *&c.* ſhall give a diſcharge at putting away a ſervant or on the ſervants going away. *ibid.* 4.

No perſon to hire a ſervant without a diſcharge from the perſon with whom he laſt dwelt, and the ſervant may have a diſcharge from the next juſtice of peace on the maſters refuſing it. *ibid.* 5.

Penalty, *&c.* on ſervants counterfeiting diſcharges. *ibid.*

No ſervant ſhall recover wages on this act, without ſuch diſcharge, *&c.* *ibid.* 6.

Penalty on perſons knowingly taking ſervants without a diſcharge. *ibid.* 7.

Forfeiture and puniſhment on a woman hiring herſelf for a nurſe knowing herſelf to be with child, *&c.* *ibid.* 8.

No nurſe who is with child, ſhall be whipped for offence againſt this act till two months after delivery. *ibid.* 9.

Complaint to be made in 3 months, *&c.* *ibid.* 11.

What coſts on vexatious complaints on this act, *&c.* *ibid.* 12.

Determinations by juſtices on this act concluſive between parties, the gen ral iſſue pleadable, *&c.* *ibid.* 13, 14.

9 *G.* 2. c. 8. Retailers of ſpirituous liquors, *&c.* ſhall not give credit to ſervants for ſuch liquors, above the ſum of

Servants.

1s. nor take any pledge for ſuch liquors above 1s. *ibid.* 14, 15.

25 *G.* 2. c. 8. All diſputes between maſters and ſervants, ſhall be determined by two juſtices of the peace, *&c.* *ib.* 16, 17.

Perſons aggrieved by ſuch determination, may apply to the next quarter-ſeſſions, which ſhall determine the ſame, for a ſum not exceeding 5l. *ibid.* 18, 19.

This act is made perpetual by 5 *G.* 3. c. 15. *ibid.*

29 *G.* 2. c. 8. One juſtice may determine diſputes between maſters and ſervants. *ibid.* 20.

Service and Sacraments.

2 *E.* c. 2. The book of common prayer to be in force. SERVICE AND SACRMENTS, 1.

Miniſters to obſerve the order in the ſaid book. *ibid* 2.

Miniſters refuſing, to forfeit one years profit of their benefice. *ibid.* 3.

Impriſonment for a year, and deprivation for a ſecond offence. *ibid.* 4.

Impriſonment for life for a third offence. *ibid.* 5.

Perſons not beneficed to ſuffer impriſonment for the firſt offence. *ibid.* 6.

Impriſonment for life for a ſecond offence. *ibid.* 7.

Penalties for depraving the ſaid book, *&c.* *ibid* 8.

All perſons to reſort to church on Sundays and holydays. *ibid.* 13.

Biſhops, *&c.* to inforce the execution hereof. *ibid.* 14.

Juſtices of the peace, *&c.* to inquire of and determine offences. *ibid.* 15.

Limitation of time for proſecutions. *ibid.* 18.

Lords to be tried by a peer commiſſioned under the great ſeal. *ibid.* 19.

Mayors and head-officers to inquire of offences. *ibid.* 20.

Ordinaries to inquire in viſitations and puniſh offences by cenſures. *ibid.* 21.

No ſecond puniſhment for the ſame offence. *ibid.* 22.

Ornaments of the church and miniſters to be uſed 'til further order. *ibid.* 23.

17 *C.* 2. c. 6. Miniſters to uſe the form of prayer annexed to this act. *ibid.* 26.

Perſons obtaining benefices to read the ſervice and declare their aſſent and conſent in two months after. *ibid.* 27.

Incumbents to read the ſervice, *&c.* once a month. *ibid.* 28.

Declaration of conformity to be ſigned. *ibid.* 29.

Subſcription before the biſhop, *&c.* on pain of deprivation. *ibid.* 30.

Schoolmaſters and tutors to take the oaths of allegiance and ſupremacy. *ibid.* 31.

Penalty for teaching without a licence, *&c.* *ibid.* 32.

Perſons not ordained prieſts, incapable of taking benefices or adminiſtering the Lord's ſupper. *ibid.* 33.

No lapſe 'till 6 months after notice to the patron. *ibid.* 34.

No

Service and Sacraments.

No other form of common prayer to be uſed in colleges, &c. *ibid.* 35.

Subſcription to the 39 articles of religion. *ibid.* 36.

Not to extend to aliens of the foreign reformed churches *ibid.* 37.

Lectures to be licenſed by the biſhop of the dioceſe. *ibid.* 38.

To read the ſervice before his firſt lecture, and declare his aſſent and conſent *ibid.*

Perſons diſabled, reading any lecture or ſermon, to be impriſoned for 3 months. *ibid.* 40.

The common prayer to be read at all times before any lecture or ſermon. *ibid.* 41.

Not to extend to chapels in the univerſity. *ibid.* 42.

Prayers for the king, &c. to be altered occaſionally. *ibid.* 44.

Printed copies of the common prayer to be gotten at the charge of the pariſh. *ibid.* 45.

4 *G.* 1. c. 3. Part of the declaration altered. *ibid.* 48.

Seſſions of the Peace. See Juſtices of Peace.

Sheep.

3 *H.* 6. c. 2. *Eng.* Sheep tranſported beyond ſea forfeited or the value. SHEEP, 1.

8 *E.* c. 3. *Eng.* Penalty, &c. on any ſending, &c. out of England or Ireland any ſheep or lambs, &c. *ibid.* 2. 3, 4.

This offence may be heard at ſeſſions, &c, *ibid* 5.

10 & 11 *C.* 1. ſeſſ. 4. c. 15. None to pluck the wool from living ſheep, on pain of fine and impriſonment, *ib.* 6.

Sheriffs.

10 *C.* 1. ſeſſ. 3. c. 18. By this act there was an oath appointed to be taken by ſheriffs, but the oath is ſince altered. SHERIFFS, 1.

Penalty on ſheriffs acting contrary to the oath. *ibid.* 2. 3.

Offences, &c. may be determined at the aſſiſes, &c. *ibid.* 4.

Sheriffs fees for ſerving any extent or execution. *ibid.* 5.

7 *W.* 3. ſeſſ. 1. c. 13. Sheriff having paſſed his accounts, &c. ſhall be for ever diſcharged, unleſs he, &c. be queſtioned in 4 years after. *ibid.* 6.

Forfeiture, &c. on officers iſſuing writs contrary to this act. *ibid.*

Offenders being thrice convicted ſhall be diſabled to hold any office in courts of juſtice. *ibid.* 7.

7 *W.* 3. c. 13. No ſheriff during his office ſhall be a juſtice of peace in the ſame county on pain, &c. and how recoverable, &c. *ibid.* 8.

11 *A.* c. 8. All laws in force relating to office of ſheriffs, &c. not by this act repealed, &c. ſhall be duly executed. *ibid.* 9

None ſhall be under ſheriff, ſheriffs clerk, &c. wh officiated in ſaid office within 3 years before, on pain, &c. *ibid.* 10.

Sheriffs.

The defendant to be held to ſpecial bail, and for ever after diſabled to be under ſheriff, &c. *ibid.*

Such perſons before entry on the office to enter into a recognizance of 200l. to the crown, and how conditioned, &c. *ibid.* 11.

Form of the oath to be taken by under ſheriffs, ſheriffs clerks, &c. *ibid.* 12.

Penalty, &c, on perſons officiating without entring into recognizance, &c. *ibid.* 13.

If under ſheriffs, &c. are convicted on information, &c. of acting contrary to their oath, they ſhall ſuffer as perſons convicted of perjury. *ibid.* 14.

Penalty on ſub-ſheriff acting as clerk of the peace in the ſame county, &c. *ibid.* 15.

12 *G.* 1. c. 4. What fees due to officers in the chancery, &c. on taking out the ſheriffs patent, penalty on officers taking more. *ibid.* 16.

What fees ſheriffs are to have, and to have an allowance on his accounts. *ibid.* 17, 18.

No ſheriff ſhall be attached for neglect in finiſhing his accounts, &c. but by writ from the exchequer, &c. *ibid.* 19.

Perſons wilfully hindering ſheriffs to paſs their accounts, &c. ſhall make ſuch ſatisfaction as the exchequer ſhall think fit. *ibid.* 20.

The ſub-ſheriffs ſhall execute the office in caſe of the death of the high-ſheriff within the year in the name of the deceaſed ſheriff, and his ſecurity ſhall be anſwerable, &c. *ibid.* 21.

Penalty on any buying, &c. the office of ſub-ſheriff, &c. Proſecution when to be. *ibid.* 22.

High-ſheriff may appoint a ſub-ſheriff, &c. but to account for the fees. *ibid.* 23.

Barons of the exchequer may amerce the clerks of aſſiſe, &c. neglecting to return eſtreats. *ibid.* 24.

Sheriffs, &c. collecting the king's debts to take 4 d. for an acquittance, and ſhall effectually diſcharge the debtor on pain, &c. *ibid.* 25.

Penalty on ſheriffs, &c. demanding more or leſs from the debtor, &c. on pretence of any proceſs, &c. contrary to this act, &c. *ibid.*

Not to extend to deprive ſheriffs of ſuch poundage as is allowed by act of parliament, &c. *ibid.* 26.

Orders made by the barons of the exchequer for damages and penalties ſhall be of equal force with any other decree of the ſame court. *ibid.* 27.

An oath appointed to be taken by ſheriffs, &c. *ibid.* 28.

The ſub-ſheriffs oath, by whom to be adminiſtered, &c. *ibid.* 29.

A ſchedule of the fees to be paid for paſſing the patents of ſheriffs, &c. *ibid.* 30.

5l. 7s. fees to be paid by all ſheriffs of counties for paſſing their accounts *ibid.*

3 *G.* 2. c. 7. *Eng.* None ſhall act as under-ſheriff, ſheriff's clerk, &c. who officiated in ſaid office within 3 years before, on pain of ſuffering the penalties in 11 *A.* c. 8. *ibid.* 31.

Sheriffs.

Any perſon may file a bill againſt the high and ſub-ſheriff for a diſcovery, &c. and the anſwer thereto ſhall be evidence, &c. *ibid.*

No ſheriff ſhall appoint a barony clerk on pain of 50l. *ibid* 32.

Penalty on ſheriffs not appointing deputies in the county to grant replevins in a month after entering on the office, or taking fee from them. *ibid.* 33.

Penalty on ſheriffs, &c. receiving fees contrary to this act. *ibid.* 34.

23 *G.* 2. c. 13. Sub-ſheriffs not paying money received, &c. diſabled from acting as ſub-ſheriffs, and penalty on officiating as ſuch afterwards. Like diſability and penalty on their not procuring the fines of ſheriffs to be taken off at their own coſts. *ibid.* 37.

On giving notice to the ſheriff, court may enlarge the time for paying the money, &c. *ibid.* 38.

Perſons who ſhall incur the diſabilities on this act, and afterwards take upon them the office of ſub-ſheriff, &c. ſhall forfeit 500l. *ibid* 39.

29 *G.* 2 c. 15. No perſon to act as a ſub-ſheriff of the city of Dublin, who had been in that office within 10 years before. *ibid.* 40.

Penalty on perſons bringing informations and not proſecuting them to effect *ibid.* 41.

Sub-ſheriffs taking illegal fees, forfeit 100l. *ibid.* 42.

33 *G.* 2. c. 13. Sheriffs levying money due by high-conſtables to levy 2s. in the pound on them for levying it. *ibid.* 43.

Ships.

12 *G.* 2. c. 18. *Eng.* Goods imported or exported to or from any territories belonging to the king in Aſia, Africa or America to be in Engliſh veſſels, &c. on pain, &c. SHIPS, 1.

Goods of the growth of Aſia, Africa and America to to be imported in ſhips belonging to England and Ireland, &c. on pain, &c. *ibid.* 3.

No goods of foreign growth, &c. ſhall be imported in Engliſh ſhips but from the places of their growth, &c. on pain, &c. *ibid.* 4.

Salt-fiſh, oil, &c. made of fiſh or whale fins, &c. imported and not caught in veſſels belonging to England, &c. and the fiſh not cured, &c. by the people thereof, ſhall pay double aliens cuſtoms *ibid* 5, 6.

Abatements in the book of rates to extend only where the maſter and three fourths of the crew are Engliſh during the whole voyage. *ibid.* 7.

No goods of the growth of Ruſſia, Muſcovy or Turkey, nor maſts, &c. ſhall be imported but in ſuch ſhips except of the built of the country, &c. on pain, &c. *ibid.* 8.

All wines of the growth of France, &c. and all the aforeſaid commodities imported in any other ſhips, &c. ſhall be deemed and pay as aliens goods. *ibid.* 9.

Forfeiture on officers allowing privileges to foreign built or Engliſh ſhips for foreign goods without certificate, &c. *ibid* 10.

A ſaving for the goods imported from the Streights or Levant ſea though not of the growth thereof. *ibid.* 11.

Ships.

The like ſaving for Spaniſh and Portugal goods, and for bullion and goods taken by repriſal, not to extend to Scotland. *ibid.* 12, 13, 14

A duty impoſed on French ſhips ſo long as a duty of 50 *ſols per* tun on Engliſh ſhips ſhall be continued by the French. *ibid.* 15.

13 & 14 *C.* 2 c. 11. *Eng.* Mariners to be Engliſh or Iriſh. *ibid.* 17.

4 & 5 *A.* c. 20. *Eng.* One penny *per* tun inward and outwards to be paid for all ſhips except, &c. paſſing by Edyſtone light-houſe. *ibid.* 18.

8 *A.* c. 17. *Brit.* Duties to be paid by ſhips paſſing the light-houſe as directed by 4 *A.* c. 20. confirmed, and how and where recoverable *ibid.* 19, 20, 21

3 *G.* 2. c. 36. *Brit.* Sutton Morgan and William French, eſqrs. to have duties at the light-houſe of Skerries near Hollyhead, and how regulated, in what manner the ſaid duties are to be paid, and by whom and to whom. *ibid.* 22.

11 *G.* 2. c. 9. Any maſter of a ſhip, mariner, &c. who ſhall wilfully burn, ſink or deſtroy ſhip to the prejudice of the inſurer, ſhall be adjudged felons without benefit of clergy. *ibid.* 30.

Shires.

34 *H.* 8. ſeſſ 1. c. 1. Meath divided into two counties. SHIRES, 1, 2.

What baronies compoſe, &c. Weſtmeath. *ibid.* 3.

Mullingar to be the ſhire town of Weſtmeath, and how divided. *ibid.* 4, 5.

3 & 4 *P.* & *M.* c. 2. The king, &c. to have the counties of Leixe, &c. *ibid.* 6.

The new fort in Leixe to be called Maryborough, and what countries to be called Queen's-County. *ibid.*

The new fort Offaly to be called Philipſtown, &c. and King's-County. *ibid.* 7.

Commiſſion, &c. for aſcertaining the bounds of ſaid counties, &c. not to prejudice a grant to the earl of Kildare nor right of biſhops, &c. *ibid.* 8.

A commiſſion to iſſue, &c. to ſurvey waſte grounds, &c. and divide the ſame into counties, the livings of the archbiſhop of Dublin and biſhop of Kildare to be reſerved to them. *ibid.* 9, 10.

——c. 3. A commiſſion to iſſue under the great ſeal to ſurvey waſte grounds, &c. not being ſhire ground, lying in no ſhire, and divide the ſame in counties, at the king's election for 7 years. *ibid.* 11, 12.

11 *E.* ſeſſ. 3. c. 9. Commiſſion to inquire of all counties not in ſhires, or doubtful in what ſhires, and to divide and join them, &c. and how to be regulated in Tipperary or Kilkenny, except the livings of Ardmagh and Dublin. *ibid.* 13, 14, 15, 16.

Shoemakers.

3 *G.* 3. c. 33. Name of the maker of ſhoes or boots to be ſtamped on them SHOEMAKERS, 1.

Penalty recoverable by warrant of a juſtice. *ibid.* 2.

Silk.

3 *G.* 3. c. 21. No drawback on exportation of foreign silks. SILK, 1.

5 *G.* 3. c. 29. Drawback on raw or thrown silk, exported to Ireland. *ibid.* 2.

Forfeiture of ship and tackle for lading raw silk to be exported from Ireland. *ibid.* 3.

Master and mariners knowing offence to be imprisoned. *ibid.* 4.

Silver. See Gold.

Skins. See Hides, &c.

Snuff. See Customs.

Sodomy. See Buggery.

Soldiers.

9 *W.* 3. c. 28. Clergy marrying soldiers to papists to forfeit 20l. SOLDIERS, 1.

6 *A.* c. 14. A detachment of 15 in number not to march without a commission officer who shall be answerable, &c. for their trespasses on pain, &c. *ibid* 4.

No detachment under 15 to march without a serjeant, &c. damages not exceeding 40 s. to be made good by the captain, *&c.* on pain, *&c.* *ibid.* 5.

Magistrates to provide carriages on producing the rout or a copy thereof, and in what time, penalty on constables neglecting to execute the warrant, &c. *ibid.* 6.

Penalty on officers taking the carriage above a day's march, except on constables neglect to find others, and suffering women to ride thereon, &c. *ibid.* 7.

What weight wheel carriages shall carry, and what to be paid the owners, &c. and how constables and officers are to proceed. *ibid.* 8, 9, 10, 11.

Soldiers are to give in their christian and sir names to the magistrates and constables upon getting billets for quartering. *ibid.* 12.

1 *G.* 1. c. 17 *Brit.* Penalty on any soldier, &c. encouraging other soldiers to desert if proved within six months, and any person of the popish religion to inform the officer before he inlists. *ibid.* 13, 14, 15.

3 *G.* 1. c. 2 *Brit.* Penalties on the aforesaid act to be recovered in England, Scotland and Ireland. *ibid.* 16.

3 *G.* 2. c. 10. and 15 *G.* 2. c. 6. In what cases and what rates officers are to pay the owners of carriages for the march of soldiers, and duty of constables. *ibid.* 22 to 26.

Solicitors. See Attornies.

Sorcery. See Conjuration.

Spawn and Fry of Fish. See Fish.

Spirits. See Brandy.

3 *G.* 3. c. 21. Licence-money for spirits in Dublin and within 4 miles of the tholsel. SPIRITS, 1.

Any one of the commissioners of the revenue may hear complaints for selling without licence. *ibid.* 2.

Spirits. See Brandy.

Fees to collectors for licences. *ibid.* 3.

Debts for spirits under 5s. at one time not recoverable. *ibid.* 4.

No licence to retail spirits, &c. in gaols. *ibid.* 5.

5 *G.* 3. c. 16. Persons selling spirits under 1 gallon retailers. *ibid* 6.

Drawback for spirits exported. *ibid.* 7.

Upon loss of spirits at sea, bonds void. *ibid.* 9.

5 *G.* 3. c. 43. Spirits not to be exported in ships under 100 tuns burthen. *ibid.* 10.

Forfeiture of ship, tackle and the spirits laden. *ibid.*

Squibs.

5 *G.* 2. c. 18. Penalty on persons making or selling squibs or fire-works in the streets, shops, &c. or aiding or assisting in the same, except by order of the lord lieutenant, commissioners, &c. SQUIBS, 1, 2, 3, 4, 5.

Stabbing. See Murder.

Stage Coaches. See Coaches.

Statutes Staple. See Recognizances.

Stolen Goods.

4 *A.* c. 11. Persons buying stolen goods knowing them to be such, may be prosecuted for a misdemeanor, tho' the principal be not before convicted. FELONY, &c. 18.

Offender exempted if principal after taken. *ibid.*

8 *A.* c. 8. Receivers, &c. of stolen goods and harbourers of felons, &c. deemed accessaries and shall suffer as felons. *ibid* 20.

Such receivers, &c. to be tried for misdemeanors in case the principal felon be not taken. *ibid.* 25.

If principal felon taken afterwards, receivers to be exempted. *ibid.*

6 *G.* 1. c. 12. Receivers of money, &c. for conducting persons to stolen goods, and not securing the felon, to suffer death without benefit of clergy. *ibid.* 33.

Suits.

6 *E.* 1. c. 8. *Eng.* Proceedings on pleas of trespass by sheriffs in their counties. SUITS, 1.

7 *W.* 3. c. 7. Where actions are entered within two terms after the death of either party, it shall not be alledged for error. *ibid.* 2

9 *W* 3 c 25. If persons be made defendants with others in actions of trespass, *&c.* and acquitted upon trial they shall have costs of suit, *&c.* *ibid* 3.

All actions where demurrer is joined by both parties are to be tried by a jury, the like for trespass, and how to be determined. *ibid.* 3, 4, 5.

No suit shall be altered where any executor or administrator is defendant, but such suit shall remain as if defendants were living. *ibid.* 6, 7, 8, 9, 10.

2 *G* 1. c. 11. In actions of trespass, assault or battery, or for scandalous words, no more costs shall be allowed than damages, *&c.* *ibid.* 11, 12.

Suits.

4 *G.* 1. c. 13. On judgment in demurrer for defendant, he ſhall have coſts. *ibid.* 13.

Surety of the Peace.

10, 11 *C.* 1 c. 10. All proceſs of the peace or good behaviour to be awarded out of the King's bench and chancery, penalty on thoſe who proceed in ſuch proceſs if groundleſs. SURETY OF THE PEACE, 1.

All writs of *ſubpœna* to be granted upon oath. *ibid.* 2, 3.

Swearing and Curſing.

10 & 11 *C.* 1. c. 1. Penalty on perſons ſwearing, &c. and how recoverable. SWEARING, &c. 1, 2, 3.

7 *W.* 3. ſeſſ. 1. c. 9. Penalty, &c. on perſons ſwearing in the preſence of juſtices of the peace, &c. *ibid.* 4, 5.

Penalty on juſtice of peace neglecting, the general iſſue pleadable, and treble coſts given on executing this act, proſecution to be in 10 days. *ibid.* 6, 7, 8.

This act to be read in churches, and when, and convictions to be regiſtered, &c. *ibid.* 9, 10.

Tail.

13 *E.* 1. c. 1. *Eng. Weſtm.* 2. The will of the giver ſhall be obſerved according to the form of the gift, and the donees have no power to alien. TAIL, 1.

The ſecond huſband or wife, or their iſſue ſhall have nothing in ſuch lands, and a fine levied on them ſhall be void. *ibid.* 2, 3.

Tales de Circumſtantibus. See Jurors.

Tallow and Tallow Chandlers.

2 *G.* 1. c. 16. The exact tare, &c. of each caſk of melted tallow ſhall be branded upon the ſide and bottom, forfeiture incurred by the ſeller for falſely marking the tare, &c. BUTTER AND TALLOW, 6.

On ſtripping butter or tallow caſks, if the tare anſwers the brand, the buyers ſhall pay the charge of ſtripping, otherwiſe the ſeller. *ibid.* 7.

Butter or tallow attempted to be exported, not having the tare branded, &c. ſhall be forfeited. *ibid.* 9.

10 *G.* 1. c. 9. Caſks in which tallow, &c. is deſigned to be packed, ſhall firſt be brought to a public weigh houſe and branded by the weigh-maſter, &c. *ibid.* 16.

13 *G.* 2. c. 12. Coopers employed in making caſks for packing tallow, &c. ſhall not be appointed weighmaſters. *ibid.* 45.

Caſks of tallow, &c. carried to the cuſtom-houſe for exportation not branded by the weighmaſter, as by ſtat. 8 *G.* 1. c. 7, &c. is directed, ſhall be forfeited to the perſons who will ſeize the ſame, &c. *ibid.* 46.

Landwaiters, &c. ſuffering caſks of tallow, &c. not branded to be ſhipped, &c. ſhall forfeit 20 s. for every caſk, &c. *ibid.* 47.

Tanners. See Leather.

Tapes. See Linen Manufacture.

Tea.

33 *G.* 2. c. 10. All merchantable tea ſeized ſhall be ſold by public cant. TEA, 1.

Rewards to the ſeizing officers out of the revenue. *ibid.* 11.

Further penalties on perſons having run-tea in their cuſtody. *ibid.* 1, 2.

Penalties on officers ſecreting tea. *ibid.* 3.

All contracts for tea clandeſtinely imported are void. *ibid.* 4.

Permits for tea exceeding two pounds weight carried by land. *ibid.* 5.

3 *G.* 3. c. 21. No tea to be imported in package under ten pounds weight. *ibid.* 7.

5 *G.* 3. c. 16. Selling tea under two pounds weight, retailers. *ibid.* 8.

Tea, except from Great-Britain, found on board in any port of this kingdom, forfeited. *ibid.* 9.

One pound allowed for the uſe of each ſeaman. *ibid.* 10.

Tenant by the Curteſy. See Dower.

Tenants in Common. See Join-tenants.

Tenant in Dower. See Dower.

Tenant for Life or Years. See Life Eſtates and Leaſes.

Tenants in Tail. See Tail.

Tenures.

14 & 15 *C.* 2. c. 19. The court of wards, &c. taken away and all tenures to be created by the king ſhall be in free and common ſoccage. *ibid.* 5, 6, 7.

Not to extend to take away fines for alienation, &c. nor to infringe any title of honour, &c. nor tenures by *Franc-almoign*. *ibid.* 8, 9, 10, 11.

Theft. See Felony.

Thread. See Linen Manufacture.

Tiles. See Bricks.

Timber. See Woods.

Tipperary.

2 *G.* 1. c. 8. All liberties, &c. granted to the duke of Ormond are extinguiſhed. TIPPERARY, 1.

Tipperary and Croſs Tipperary are made one county. *ibid.* 2.

Tipperary.

All fines, recoveries, &c. in civil actions, in the county of Tipperary, to be moved to the common pleas, &c. and all proceedings had there void. *ibid* 3 to 9.

Tithes.

18 *E.* 3. c. 7. *Eng.* Writs of *scire facias* not to be granted to warn prelates, &c. to answer of tithes in chancery. TITHES, 1.

45 *E.* 3. c 3. *Eng.* A prohibition to be granted for the tithe of wood. *ibid.* 2.

27 *H.* 8. c. 20. *Eng.* Tithes and offerings to be paid according to the usage of the parish. *ibid.* 4.

Process of the ecclesiastical court against persons substracting their tithes. *ibid.*

Persons contumacious to be committed by warrant of two justices, &c. *ibid.*

Appeals, prohibitions and other lawful defences to be allowed. *ibid.* 5.

33 *H.* 8. sess. 1. c. 12. All persons to set out and pay their tithes according to the lawful custom of the place. *ibid.* 7.

Persons withholding their tithes to be convented before the ordinary. *ibid.*

The judge may proceed either ordinarily or summarily and give sentence. *ibid.*

Costs to be given against persons appealing. *ibid.* 8.

Refusing to pay after difinitive sentence, to be committed. *ibid.* 9.

None to be compelled to pay tithes for lands not chargeable with them. *ibid.* 10.

Remedy for persons disseised of tithes, in the temporal courts. *ibid.* 11.

Remedy in the spiritual court only for withholding tithes. *ibid.* 12.

1 *G.* 2. c. 12. Tithes not exceeding 40 *s. per annnum* to be paid according to the custom, &c. of the parish. *ib.* 13

On complaint in writing to two justices of peace, &c. against the party failing to substract or pay the said tithes in 20 days after demand, they may proceed to determine the same, &c. *ibid.* 14 to 18.

On neglect of payment in 10 days of the sum awarded, the constable, &c. may distrain, &c. *ibid.* 18.

Complaint when to be made, and before whom appeal lies, and in what cases a *certiorari* is grantable, &c. *ibid.* 20 to 28.

5 *G.* 2. c. 6. In what manner distress may be taken and disposed of for tithes, and how tithes are recoverable where they do not exceed 5*s. ibid.* 23.

——c. 9. What lands improved are exempted from tithes. *ibid.* 31 to 34.

29 *G.* 2. c. 12. Agreements to prevent setting or drawing tithes void. *ibid.* 34.

Writing threatning letters or putting up advertisements to terrify, &c. the penalty. *ibid.* 35.

Breaking or destroying cars, &c. or harness intended for drawing tithes. *ibid.*

1 *G.* 3. c. 17. The preceding act is made perpetual. *ibid.*

3 *G.* 3. c. 25. 48 hours notice in writing of the time of setting out tithes. *ibid.* 37.

Tithes.

In what cases to be posted on the church door. *ibid.* 38.

What proof of title of owners of tithes required. *ibid.* 39.

A citation with intimation to issue in case of non-appearance. *ibid.* 40.

Causes to be heard summarily at the petition of either party. *ibid.* 42.

Suit by civil bill on refusal to pay after service of a monition. *ibid.* 43.

Saving the right of appealing. *ibid.* 44.

Right of defendants to plead matters before the judge of assise. *ibid.* 45.

Examination of plaintiff or his proctor, giving notice to attend. *ibid.* 46.

Not to confirm right to tithes otherwise than as already intitled. *ibid.* 47.

Tobacco.

12 *C.* 1. c. 34. *Eng.* None shall plant tobacco in England or Ireland, on pain, &c. TOBACCO, 1.

All sheriffs, &c. to cause the same to be burnt. Penalty on resisting them, and how to be levied, &c. *ibid.* 2, 3.

A saving for physick gardens not exceeding half a pole *ibid.* 4.

15 *C.* 2. c. 7. *Eng.* Further penalty imposed on planting tobacco, the offender to enter into a recognizance, &c. not to commit the offence again, but not to extend to physick gardens, &c. *ibid.* 5, 6, 7.

7 *W.* 3. c. 16. A duty of 2 d. $\frac{1}{2}$ for every pound of tobacco imported into Ireland payable to the king. *ibid.* 8.

8 *A.* c. 13. *Brit.* No drawback to be allowed, &c. for tobacco exported to Ireland, till a certificate be produced, and from whom, of landing it, &c. *ibid.* 9, 10.

6 *G.* 1. c. 21. *Brit.* Tobacco entered out for foreign parts exported and landed in Ireland, forfeited. *ibid.* 11.

What allowance shall be made for tobacco exported from England to Ireland for waste, &c. *ibid.* 12.

Ireland shall be added to the oath taken by exporters of tobacco. *ibid.* 13.

33 *G.* 2. c. 10. Tobacco to be imported in package not less than 450 lb. wt. *ibid.* 14.

Tobacco seized and condemned to be publickly sold by cant. *ibid* 15.

Reward to be paid to the seizing officer. *ibid.*

Penalty on collectors for neglect of their duty. *ibid.*

Ships, &c. importing tobacco from the Isle of Man, forfeited. *ibid.* 16.

Officers may enter the houses, &c. of persons retailing tobacco, and take an account. *ibid.* 17

Penalty of 50 l. on persons refusing entrance. *ibid.* 18.

Permit to be taken for tobacco above 4 lb. carried by land-carriage. *ibid.* 19.

Fees for permits for tobacco. *ibid.* 21.

Persons selling under 20 lb. of tobacco to be deemed retailers. *ibid.* 22.

Tobacco.

Tobacco in packages under 500 wt. forfeited. *ibid.* 23.

Tolls.

4 *A.* c. 8. No toll ſhall be taken for cattle driving through a city, *&c.* where the ſame are not ſold, *&c.* nor in any fair, *&c.* but ſhall be paid for repairs of bridges being kept at the coſt of one perſon. TOLLS, 1.

Penalty on offenders, *&c.* *ibid.* 4.

Penalty on juſtices neglecting, and on perſons refuſing to pay juſt toll, *&c.* *ibid.*

31 *G.* 2. c. 9. Tolls to be taken by weight and not by meaſure. *ibid.* 6.

Penalty of 5l. for taking toll otherwiſe than by weight. *ibid.*

1 *G.* 3. c. 17. Actions for tolls claimed by corporations of cities, *&c.* how to be tried. *ibid.* 7.

Schedules of tolls claimed to be hung up in the market-houſe, *&c.* *ibid.* 8.

Penalty of 5 l. for exacting tolls not comprized in the ſchedule. *ibid.* 9.

Fuel exempted from the payment of toll. *ibid* 10.

5 *G.* 3. c. 14. Double tolls to be paid for cars, *&c.* with wheels under 3 inches in breadth. *ibid.* 11.

Penalty of 5l. for not exacting ſuch payment. *ibid.* 12.

Treaſon.

25 *E.* 3. c. 2 *Eng.* Contriving, *&c.* the death of the king or any of his family, counterfeiting the great ſeal, *&c.* treaſon. TREASON, 1.

18 *H.* 6. c. 2 & 3. *Eng.* To receive thieves, *&c.* or to ſafe guard them, is made treaſon, and none to bring horſes, *&c.* to lodge on any of the king's ſubjects without conſent, on pain, *&c.* *ibid.* 2, 3.

10 *H.* 7. c. 3. To maintain or ſupport any rebel, *&c.* ſhall be adjudged treaſon. *ibid.* 4.

——c. 13. Perſons raiſing inſurrection or conſpiracy, *&c.* to war againſt the king's authority, ſhall be deemed traitors. *ibid.* 5.

13 *H.* 8. c. 1. Burning houſes, *&c.* high treaſon, *&c.* *ib.* 6.

28 *H.* 8. c. 7. What offences are treaſon. *ibid.* 7.

Offenders in high treaſon to have no privilege of ſanctuary. *ibid.* 8.

Treaſon committed abroad, where it may be tried. *ibid* 9.

Outlawries for treaſon againſt perſons out of the realm to be as effectual as if they were reſident in the realm. *ibid.* 10.

Offenders in high treaſon ſhall forfeit to the king, and what. A ſaving for the right of others *ibid.*

33 *H.* 8. ſeſſ. 1. c. 1. It is made high treaſon to impeach the king's name or title to the crown of Ireland *ibid* 11.

27 *E.* c. 1. All perſons convicted of treaſon, *&c.* to forfeit all their lands, *&c* *ibid.* 12.

5 *G.* 3. c. 21. Perſons indicted for high treaſon, ſhall have copies of the indictments againſt them. *ibid.* 13.

To be admitted to make their defence by council. *ibid.* 14.

Treaſon.

Council not exceeding two to be aſſigned by the court *ibid.* 15.

Treaſurer.

10 *H.* 7. c. 1. Treaſurer of Ireland ſhall have as ample power as the treaſurer of England to make cuſtomers, *&c.* TREASURER, 1.

All acts concerning the election or making of ſheriffs, *&c.* contrary to this act void. *ibid.* 2.

Treaſurer to account and when, and the account to whom to be tranſmitted, *&c.* *ibid.* 3.

Not to prejudice mayors, *&c.* of Dublin, nor any other privileged cities. *ibid.* 4.

Treaſurers of Counties.

33 *G.* 2. c. 13. Juſtices at the quarter-ſeſſions to appoint treaſurers. TREASURERS OF COUNTIES, 1.

Recognizance with ſureties to be given before the next going judges of aſſiſe. *ibid.*

No treaſurer to be clerk of the crown or a juſtice of the peace. *ibid.* 2.

Treaſurers to pay on demand what any perſons ſhall be intitled to receive. *ibid.* 3.

Treſpaſs.

35 *H.* 6. c. 2. Every man ſhall anſwer for treſpaſs done by his ſon except death, *&c.* TRESPASS, 1.

10 *C.* 1. ſeſſ. 1. c. 23. Perſons breaking fences, *&c.* to anſwer for the treſpaſs before a juſtice of peace, and penalty on their neglect, *&c.* *ibid.* 2, 3, 4.

10 *W.* 3. c. 12. If fruit trees be found in the cuſtody of perſons not having nurſeries, *&c.* of their own, they may be obliged to prove the property. *ibid.* 5

Trial.

12 *E.* 2 c. 2. *Stat. of York. Eng.* In what manner witneſſes are to be ſummoned, &c. on trials at law, *&c.* TRIAL, 1.

9 *E.* 3. c. 4. *Eng.* Where deed in bar of an action bears date in any franchiſe, proceſs ſhall iſſue to ſummon the witneſſes though they live in the franchiſe. *ibid* 2.

28 *E.* 3. c. 13. *Eng.* } What perſons are to try inqueſts,
3 *H.* 6. c. 29. *Eng.* } *&c.* *ibid.* 3, 4.

20 *H.* 6. c. 9. *Eng.* Ladies of peers ſhall be tried for treaſon, *&c.* by peers. *ibid.* 5.

10 *C.* 1. ſeſſ. 2. c. 19. Where a perſon is ſtricken or poiſoned, *&c.* in one county or out of the realm, and die thereof in another county or out of the realm, offender where to be tried. *ibid* 6.

The juſtices have the ſame power and the like remedy for appeal, and the acceſſories liable as if the death, *&c.* happened in the ſame county. *ibid.* 7.

Acceſſories to murder or felony in a foreign county, where the principal is convict, *&c.* the clerk of the crown ſhall certify the ſame on requeſt to the juſtices trying the acceſſory in the foreign county, who may proceed as in other caſes *ibid.* 8, 9.

Trial.

6 *A.* c. 10. Every *venire facias* for the trial of iſſues ſhall be awarded of the body of the proper county where ſuch iſſue is triable, except for murder, *&c. ibid.* 10, 11.

In what caſes writs of *diſtringas*, &c. ſhall be granted to inquire of the lands in the county, and returned to the jury on trials at bar, *&c. ibid.* 12.

25 *G.* 2. c. 10. Where offences on rivers to be made navigable ſhall be tried. *ibid.* 13.

Truſts.

7 *W.* 3. ſeſſ. 1. c. 12. All declarations or creations of truſts, *&c.* ſhall be manifeſted, *&c.* by ſome writing or laſt will, except truſts created, *&c.* by implication, *&c.* TRUSTS, 1, 2.

Grants, *&c.* of truſts ſhall be in writing, and ſigned by the party. *ibid.* 3.

Every ſheriff may deliver lands, *&c.* in truſt in execution as if in the poſſeſſion of the *ceſt que truſt*, and a truſt in fee ſhall be aſſets by deſcent, but the heir ſhall not be chargeable on his own eſtate by reaſon of confeſſing the action, *&c. ibid.* 4, 5.

Turnpike roads.

21 *G.* 2 c. 13. Additional duties on cars, *&c.* uſing ſaplins, *&c.* for paſſing through turnpikes. TURNPIKE-ROADS, 1.

23 *G.* 2. c. 16. Truſtees impowered to ſue and be ſued in all actions relative to the turnpike tolls, by the name of the truſtees of the turnpike roads. *ibid.* 2.

Truſtees may appoint a clerk or regiſter, upon whom ſervice of any proceſs, *&c.* ſhall be good againſt ſuch truſtees. *ibid.* 3.

Truſtees to give 20 days public notice of their intention to make any new rules, *&c. ibid.* 4.

Truſtees to give 30 days previous notice before they grant any leaſe of the tolls or turnpikes. *ibid.*

Truſtees on default of owners of lands not ſcouring ditches, *&c.* to cauſe the ſame to be done, and recover the expence by diſtreſs. *ibid.* 5.

What perſons are qualified to be truſtees. *ibid.* 6.

5 *G.* 3. c. 14. 1s. 1d. toll to be paid for narrow-wheeled cars, *&c. ibid.* 8.

Waggons, *&c.* with wheels 9 inches broad to pay only 6d. turnpike. *ibid.* 9.

Vacations.

28 *H.* 8. c. 11. *Eng.* The year in which the firſt fruits ſhall be paid to the king, all tithes, *&c.* ſhall belong to the perſon next preſented, *&c.* VACATIONS, 1.

Penalty on ordinaries taking the tithes, *&c.* during the vacation of any benefice, and not returning them when demanded, except ſo much as ſhall be ſufficient for his trouble. *ibid.* 2, 3.

Vacations.

Incumbents manuring glebe, *&c.* may bequeath the profits, *&c. ibid.* 4.

Where the fruits of the vacation are not ſufficient to pay the curates ſtipend, he ſhall be paid by the next incumbent. *ibid.* 5.

Vagrants. See Houſe of Correction.

33 *H* 8. c. 15. The ſtatute of 21 *H* 8. to be in force in Ireland. VAGRANTS, 1.

Juſtices of peace, *&c.* to ſearch after beggars, *&c.* and may licenſe impotent beggars, *&c. ibid.* 2.

A ſeal to be made for every limit, and the licenſe to be ſealed therewith, and if taken without their limits, to be put into the ſtocks, *&c. ibid.* 3

Pain, *&c.* on impotent beggars begging without ſuch licence, *&c. ibid.*

Pain, *&c.* on perſons able to labour found begging, *&c. ibid.* 4.

If an idle perſon and no common beggar to be put into the ſtocks till he find ſurety to go to ſervice, *&c. ibid.* 5.

Juſtices of peace to inquire of the negligence of mayors, *&c.* penalty on conſtable neglecting to apprehend beggars, and how to be levied, *&c. ibid.* 6.

All juſtices of peace to determine the ſame, and a preſentment hereon may be traverſed, *&c. ibid.*

Begging ſcholars, *&c.* ſhall be whipt on examination before two juſtices of peace, *quorum unus*, for 2 days, and the third offence is pillory. *ibid.* 7 8.

This act when and where to be read, penalty on perſons harbouring able beggars or diſturbing the execution of this act, *&c. ibid.* 9.

The forfeitures to go to corporations when committed there. *ibid* 10.

Form of ſubſcribing the teſtimonial or licence, *&c. ibid.* 11.

Gaolers, *&c.* ſhall licence perſons delivered for felony, *&c.* to beg for 6 weeks to carry them home. *&c. ibid.* 12.

The clerk of the peace, *&c.* ſhall ſign a teſtimonial for ſuch perſons. *ibid.* 13.

The ſheriff where there is no gaol to keep a ſeal, *&c.* to licenſe perſons delivered. *ibid.* 14.

Penalty on clerks of the peace, &c. not making out teſtimonials without fee. *ibid.* 15.

Gaoler, &c. not to ſuffer ſuch perſons to go out of gaol, to beg for their fees without ſuch teſtimonial, and priſoner going without it to be whipt. *ibid.* 16.

10, 11 *C.* 1. c. 4. Strolers and coſherers, going with greyhounds through the country, to be bound to good behaviour or committed. *ibid.* 17 to 28.

6 *A.* c. 11. All idle perſons not applying themſelves to labour or work wandering about, are to be preſented as vagrants. *ibid.* 29.

2 *G.* 1. c. 17. Maſters of the houſe of correction to give a return of perſons in his care at every quarter ſeſſions. *ibid.* 29.

9 *G.* 2. c. 6. Grand juries of the city and county of Dublin not to make preſentments contrary to the 6 *A.* c. 11.

Vagrants. See Houſe of Correction.

and perſons in cuſtody or on bail that will traverſe their indictment, ſhall give ſufficient ſecurity for their appearance, or to continue in gaol. *ibid.* 30, 31.

29 *G.* 2. c. 8. The preceding acts continued for 21 years. *ibid.* 36.

Vermin.

17 *G.* 2. c. 10. In what caſe rewards are to be paid for killing vermin. VERMIN, 1.

Victuals.

51 *H.* 3. ſtat. 6. *Eng.* Bakers or brewers not obſerving the aſſiſe of bread and ale, how puniſhable, *&c.* not to buy with one meaſure, and ſell with another. VICTUALS. 1, 2, 3.

12 *E.* 2. c. 6. *Eng.* Regulations in buying victuals and wine, and ſelling them. *ibid.* 4.

23 *E.* 3. *Eng.* Butchers, fiſhmongers, hoſtlers, brewers and bakers, poulterers, ſhall ſell at a reaſonable price, on pain, *&c.* *ibid.* 6.

13 *R.* 2. c. 8. *Eng.* All aliens may bring in and ſell all kind of victuals, and have reaſonable gain according to the diſcretion of the juſtices of peace. *ibid.* 7, 8.

12 *E.* 4. c. 8. *Eng.* None but mayors and governors, *&c.* of towns and cities to inquire into regulations relating to victuals. *ibid.* 9, 10.

View.

13 *E.* 1. c. 8. View of land ſhall not be granted but where it is neceſſary, *&c.* VIEW, 1.

In a writ of entry that is abated, if the tenant had view in the firſt writ, he ſhall not have it in the ſecond. *ibid.*

Stat. *de viſu ter. incert. temp Eng.* View not to be granted in writ of wards, *&c.* *ibid.* 2.

Under-ſheriff. See Sheriff.

Uniformity. See Service and Sacraments.

Union of Churches.

2 *G.* 1. c. 14. By this act ſeveral powers are given to the chief governors and privy council for uniting pariſhes. UNION OF CHURCHES, 1

10 *G.* 1. c. 6. The powers given the chief governors, *&c.* by 2 *G.* 1. c. 14. are confirmed, *&c.* *ibid.* 10.

1 *G.* 2. c. 19. A clauſe in 2 *G.* 1. c. 14. repealed. *ibid.* 13.

9 *G.* 2. c. 12. What powers are given the incumbents of united pariſhes, and what rules they are to obſerve. *ibid.* 14, *&c.*

21 *G.* 2. c. 8. Chief governors and council with conſent of the archbiſhops, *&c.* may unite pariſhes, and under what reſtrictions. *ibid.* 21.

Voucher.

52 *H.* 3. c. 27. ſtat. Marlb. *Eng.* No vouchee to warranty before the juſtices in *eyre* in plea of land, ſhall be amerced becauſe he was not preſent when he was vouched. VOUCHER, 1.

3 *E.* 1. c. 40. *Eng.* In a writ of entry in the degrees, none to vouch out of the line, in writs of right, *&c.* a good counterplea that neither the vouchee nor his anceſtors had ever ſeiſin of the land, *&c.* *ibid.* 2.

13 *E.* 1. c. 6. *Eng.* Where a vouchee diſchargeth himſelf of the warranty, *&c.* if it be found againſt him, he ſhall loſe his land. *ibid.* 5.

20 *E.* 1. ſtat. 1. ſtat. of vouchers, 1. *Eng.* Where the tenant in a plea of land voucheth to warranty, and avers that he was not in poſſeſſion ſince the time the demandant was ſeized, his averment ſhall be admitted. *ibid.* 6.

14 *E.* 3. c. 18. *Eng.* The demandant may aver a vouchee to be dead, where the tenant voucheth a ſon deceaſed to warranty. *ibid.* 7.

Uſes.

10 *C.* 1. ſeſſ. 2. c. 1. The ſeiſin, *&c.* of lands, ſhall be adjudged in him or them that have the uſe. USES, 1.

Where aſſurances are made to ſeveral for the uſe of one, *&c.* the *ceſt. que uſe* ſhall have ſuch poſſeſſion, *&c.* in the lands, *&c.* as he hath in the uſe. *ibid.* 2.

Saving for former rights. *ibid.* 3.

The *ceſt. que uſe* of any yearly, *&c.* rent ſhall be adjudged in poſſeſſion, and ſhall have like remedy for diſtreſs, *&c.* as if granted to himſelf. *ibid.* 4.

This act not to extend to diſcharge any bond, *&c.* *ibid.* 5.

Uſury.

10 *C.* 1. c. 22. None to pay above 10 l. per cent. for the loan of money, and uſury prohibited, and all other ſtatutes made againſt it void, and this ſtatute lowered to 8 l. per cent. by 2 *A.* c. 16. USURY, 1, 2, 3.

2 *A.* c. 16. None to pay above 8 l. per cent, *&c.* this ſtatute altered by 8 *G.* 1. c. 13. to 7 l. per cent. *ibid.* 4.

8 *G.* 1. c. 13. None to pay above 7 l. per cent. for money, and this ſtatute altered by 5 *G.* 2. c. 7. to 6 l. per cent. *ibid.* 5.

5 *G.* 2. c. 7. Intereſt reduced to 6 l. per cent. per ann. from 1ſt. May 1732, penalty on perſons taking more. *ibid* 6.

Forfeiture, *&c.* on ſcriveners, *&c.* taking more than 5 s. per cent. for procuring, *&c.* the money, or more than 1 s. for making a bond. *ibid.* 7.

Wager of Law.

9 *H.* 3. c. 28. *Eng.* No bailiff ſhall put a man to law, nor to an oath, upon bare ſaying, without witneſs. WAGER OF LAW, 1.

38 *E.* 3. c. 5. *Eng.* Any man may wage law by ſufficient people of his condition. *ibid.* 2.

5 *H.* 4. c. 8. *Eng.* Judges to determine diſputes in wager of law. *ibid.* 3.

Warrants of Attorney.

18 *H.* 6. c. 9. *Eng.* Attornies not having warrants entered of record, where proceſs of exigent is awardable, liable to the penalty herein mentioned. WARRANT OF ATTORNEY.

Warranty.

4 *E.* 1. c. 6. *Eng.* In deeds containing *dedi et conceſſi tenement, &c.* without any clauſe of warranty, to be holden of the donor, *&c.* by certain ſervices, the donors and their heirs are bound to warranty. WARRANTY, 1.

6 *A.* c. 10. All warranties made by any tenant for life of any hereditaments coming to any perſon in reverſion or remainder ſhall be void, *&c. ibid.* 2.

Waſte.

52 *H.* 3. c. 24. *Eng.* Farmers during their terms ſhall not make waſte or ſale of houſes, woods, or any thing belonging to the tenements without licence. WASTE, 1.

6 *E.* 1. c. 5. *Eng.* A man ſhall have a writ of waſte againſt him that holdeth by the law of England, for term of life or years, or a woman for her dower that is attainted of waſte. *ibid.* 2.

13 *E.* 1. c. 14. *Eng.* Proceſs in actions of waſte ſhall be ſummons, attachment, and diſtreſs. *ibid.* 3.

c. 22. *Eng.* Where two or more hold wood, *&c.* and ſome of them do waſte, an action may be brought againſt either of them. *ibid.* 4.

20 *E.* 1. ſtat. 2. *Eng.* Every heir as well within age, as of full age, ſhall have his recovery by writ of waſte made in his lands of his own inheritance, as in the time of his anceſtors. *ibid.* 5.

11 *H.* 6. c. 5. *Eng.* An action of waſte is maintainable by the reverſioner againſt tenant for life or years, who aliens his eſtate to a ſtranger, if he afterwards commit waſte, and is in perception of the profits. *ibid.* 6.

Watch and Ward.

6 *G.* 1. c. 10. Juſtices of peace, &c. to aſcertain the number of watch houſes, and where to be kept, and arms, &c. to be provided. *ibid.* 2.

The perſons appointed by one, &c. juſtice of peace, &c. ſhall be the eſtabliſhed watch, &c. *ibid.* 3.

Grand juries in ſeſſions, &c. to appoint watch houſes to be built in confines of pariſhes. *ibid.* 4.

All perſons liable to hearthmoney, *&c.* ſhall keep a watch in his turn. *ibid.* 5.

Conſtables, *&c.* in Eaſter ſeſſions to return a liſt upon oath, of all inhabitants liable to hearthmoney, who ſhall keep watch for two years, &c. *ibid.* 6.

Penalty on perſons refuſing to watch. *ibid.*

Penalty on conſtables neglecting, *&c.* to make ſaid return, and general iſſue pleadable. *ibid.* 7.

Water.

11 *El.* c. 5. No perſon ſhall lay into any river, ſtream, *&c.* any hemp or flax, or any hides with lime, on pain of forfeiture. Juſtices of peace to determine the ſame, and this act to be publiſhed four times a year. WATER, 1, 2, 3, 4.

War.

11 *H.* 6. c. 12. *Eng.* No perſon ſhall put to ſale any candles, images or figures of wax at higher price, but after the rate of three pence *per* pound over the price of plain wax, on pain, *&c.* WAX.

Wears.

28 *H.* 8. c. 22. The ſheriffs, &c. and in what counties may pull down wears, *&c.* and make gaps for boats, *&c.* to go through, penalty on perſons reſiſting them. WEARS, 1.

Penalty on ſheriff, *&c.* on notice where there is no ſuch gap, not pulling it down, *&c. ibid.* 2.

5 *G.* 2. c. 11. Penalty, *&c.* on any perſon who ſhall repair ſaid wears after they are broken down. *ibid.* 3.

The general iſſue pleadable, and treble coſts recoverable by defendants ſued for executing this act, not to extend to hinder fiſhing with nets. *ibid.* 4, 5.

Weights and Meaſures.

31 *E.* 1. *Eng.* An Engliſh peny called a ſterling, ſhall weigh 32 wheat corns in the middle of the ear, 12 ounces a pound. WEIGHTS, *&c.* 1.

33 *E.* 1. ſtat. 6. *Eng.* When an acre of land containeth 10 perches in length, it ſhall be in breadth 16 perches. *ibid.* 3.

7 *W.* 3. c. 24. One and the ſame meaſure to be uſed through the kingdom, the peck to be two gallons, the buſhel eight, the half barrel ſixteen, &c. the gallon 272 and quarter inches. *ibid.* 4.

One of each of ſaid meaſures to be marked and lodged in the exchequer, and one of each, &c. lodged with the mayor, &c. in every county town in the kingdom, &c. *ibid.* 5.

The mayor, &c. to meaſure others by thoſe in their cuſtody, and penalty on falſifying ſuch meaſures. *ibid.* 6, 7.

Penalty on any ſelling corn, &c. with any other meaſure but as aforeſaid. *ibid.* 8, 9.

Strike meaſure to be uſed on ſelling all grain on pain, &c. *ibid.* 10.

10 *W.* 3. ſeſſ. 2. c. 2. All merchandiſe ſold by weight to be 112 lb. to the hundred, on pain, *&c. ibid.* 11, 12.

2 *A.* c. 17. 4 *A.* c. 14. Penalty on buyers and ſellers of corn, *&c.* otherwiſe than by ſtandard, avoirdupois weight, gold or ſilver, by troy weight, and all regulations thereunto belonging, to be decided by the mayors and juſtices of peace. *ibid.* 13, *&c.*

11 *G.* 2. c. 11. All corn, *&c.* to be ſold by weight, and not by meaſure, and how to be regulated, and what rates to be paid for the weighing them, and penalty on weigh-maſters for miſbehaviour. *ibid.* 18.

Penalty on chief magiſtrate of Dublin, and other cities and towns, not providing the number of beams, ſcales and weights, for weighing corn, directed by this act. *ibid.* 19.

What fee to be paid for weighing at ſuch ſcales. *ibid.* 20.

Weights and Measures.

What ſort of weights ſhall be uſed, and penalty on buying and ſelling by any other kind of weights. *ibid.*

Penalty on weighing butter, *&c.* expoſed to ſale for hire, *&c.* at private ſcales, and how recoverable, and to be applied. *ibid.* 21.

Whales. See Fiſh, &c.

Wills.

10 *C.* 1. ſeſſ. 2. c. 2. All perſons may deviſe their lands, *&c.* in ſoccage, by will at their pleaſure. WILLS, 1, 2, 3, 4.

7 *W.* 3. ſeſſ. 1. c. 12. All deviſes of lands ſhall be in writing, *&c.* *ibid.* 5.

Deviſes of lands in writing not revocable but by other will, *&c.* in writing, *&c.* *ibid.* 6.

Eſtate *pur auter vie* is deviſable, and if no deviſe made, how it ſhall go, *&c.* *ibid.*

No nuncupative will exceeding 30l. ſhall be good, unleſs proved, *&c.* *ibid.* 7.

No probate, &c. thereof ſhall be admitted after ſix months, unleſs it was reduced to writing in ſix days after ſpeaking it. *ibid.* 8.

No probate of nuncupative will ſhall be granted before 14 days after the death of ſuch teſtator, unleſs proceſs iſſue to ſummon the widow, *&c.* to conteſt it. *ibid.* 9.

No will in writing of chattels ſhall be repealed by words, unleſs committed to writing in the life of the teſtator, *&c.* *ibid.* 10.

Not to extend to prevent ſoldiers or ſeamen in military ſervice, being at ſea, to diſpoſe, *&c.* of their effects. *ibid.* 11.

Not to extend to alter the juriſdiction, *&c.* of probate of wills concerning perſonal eſtates, *&c.* *ibid.* 12.

6 *A.* c. 10. Perſons who ought to be allowed as witneſſes on a trial at law, ſhall be good witneſſes to a nuncupative will. *ibid.* 13.

25 *G.* 2. c. 11. What legatee ſhall be admitted as a witneſs to wills or codicils, and the legacy to be void. *ibid.* 14.

Creditor may be a witneſs to will or codicil, charging lands with payment of debts. *ibid.* 15.

Where legatee ſhall be a witneſs on payment, releaſe or tender, and refuſal. *ibid.* 16.

Legatee to be barred after tender and refuſal, and after acceptance, ſhall retain his legacy, tho' the will ſhould be adjudged void. *ibid.* 17.

Legatee dying in teſtator's life-time, or before payment or refuſal, ſhall be a legal witneſs. *ibid.* 18.

Credit of every ſuch witneſs to be ſubject to the determination of the court and the jury. *ibid.* 19

Penalty on any perſon ſecuring or receiving any compenſation after he has been examined as a witneſs to a will or codicil. *ibid.* 20. 21.

Not to extend to heir at law in poſſeſſion two years before 6th of May 1751, or any will conteſted by the heir before that time, *&c.* *ibid.* 22.

What ſhall not be deemed a poſſeſſion by ſuch heir at law. *ibid.* 23.

Wines.

14 & 15 *C.* 2 c. 8. Cuſtoms on all wines ſpecified and rated in the book of rates to be imported, of the value of every 20 s. ſhall be paid by the name of new exciſe, *&c.* and ſworn officers to be appointed to taſte wines, *&c.* WINES, 9.

c. 9. Tunnage to be paid on the ſeveral ſorts of wine, *&c.* imported by natural born ſubjects, *&c.* *ibid.* 1.

The lord lieutenant to have 20 tuns of wine duty free, and the privy and King's council to have wine duty free. *ibid.* 2.

Ten pounds *per cent.* to be allowed merchants for leakage, *&c.* *ibid.* 3.

Fees to the taſter of wine, *&c.* and what ſubſidy to be paid on wines imported into England, *&c.* *ibid.* 4, 5, 6.

17 & 18 *C.* 2. ſeſſ. 5. c. 19. Penalty on any retailing wine, *&c.* without licence. *ibid.* 12.

Penalty on merchants ſelling wine, mingling Spaniſh with French or Rheniſh wine, *&c.* and on retailers ſelling ſuch adulterated wine, *&c.* *ibid.* 14.

Offences on this act, where to be determined. *ibid.* 15.

33 *G.* 2. c. 10. Merchants may ſtave or ſpill damaged wines, or mix 20 pounds of ſalt in each hogſhead, and be repaid the duties. WINES, 16.

Allowance over and above the duties on every ton of wines ſo ſpilt or mixed with ſalt. *ibid.* 17.

No allowance to be made for wines, unleſs imported from the place of their growth. *ibid.* 19.

Wines carried by land carriage forfeited, unleſs a permit is produced *ibid.* 20.

Drawback on the exportation of wines in the time limited. *ibid.* 21.

Additional duties on wines imported. *ibid.* 22, 23.

Witchcraft. See Conjuration,

Women.

31 *H.* 6. c. 9. Penalty on perſons taking away women. WOMEN, 1.

3 *H* 7. c. 2. Forceably taking away or defiling women, is felony. *ibid.* 2.

10 *C.* 1. c. 17. } Penalty on perſons taking away women
6 *A.* c. 16. } under age, and ſuch women conſenting, barred of dower and inheritance. *ib.* 3, 11.

19 *G.* 2. c. 13. Forceably taking away any woman, &c. contrary to 6 *A.* c. 16. is felony, and this act to be read once a year, and where. *ibid.* 12, 13.

Woods.

10 *W.* 3. c. 12. Penalty on perſons ſtripping bark from any ſtanding or growing trees, or keeping any goats other than in mountains. WOODS, 1.

Penalty on any but known tanners tanning hides, *&c.* or any but dyers colouring yarn, *&c.* *ibid.* 2.

Perſons between ſun ſetting and riſing, cutting down trees, to which they are not authoriſed, *&c.* to ſuffer as felons. *ibid.* 3 to 6.

4 *A.* c 5. Penalty on perſons making uſe of in plowing or drawing timber, any gads or withs, or ſpoiling wood, or pulling up fruit trees, &c. *ibid.* 7 to 11.

9 *A.* c. 5. Fines or penalties for cutting gads, &c. not diſpoſed of, to be levied by warrant from juſtices of peace, and how to be applied. *ibid.* 12, 13.

Woods.

2 *G.* 1. c. 16. All gads, *&c.* found ſelling in fairs or markets may be ſeized, and the perſons in whoſe cuſtody they are found to be brought before a magiſtrate, &c. *ibid.* 14.

8 *G.* 1. c. 8. Tenant for life, &c. may ſell, &c. the third part of any trees by him planted during his term. *ibid.* 15, 16.

Penalty on any uſing any ſapling, &c. for the bow of a car, &c. *ibid.* 17.

1 *G* 2. c. 18. All ſpiritual perſons, *&c.* may grant a third of any wood, not being timber, for preſerving it, *&c.* *ibid.* 18, 19.

21 *G.* 2. c. 13. What duties payable at turnpikes for cats with packs tied with gads, &c. and this act to be public. *ibid.* 20.

5 *G.* 3. c. 17. Tenants for lives renewable for ever, may cut timber hereafter planted. *ibid.* 22.

Tenants for life, or a term of 12 years, may plant ſally, oziers, or willow, and have the ſole property. *ib.* 23.

Such tenants planting timber-trees ſhall be intitled to houſe-boot, *&c.* and where they have attained to maturity, ſhall be intitled to the trees, or the value. *ibid.* 24.

Certificate to be lodged with the clerk of the peace, by the tenant planting. *ibid.* 25.

A fee to the clerk of the peace of 1 s. *ibid.* 26.

Tenants for an uncertain term, may for one year after cut and manufacture trees, paying reaſonably for the treſpaſs. *ibid.* 27.

During the laſt year of a term certain, tenants may carry away trees planted by them and regiſtered. *ibid.* 28.

Perſons intitled to the reverſion, may purchaſe the trees. *ibid.* 29.

The value to be aſcertained by a jury of freeholders of the county. *ibid.* 30.

The perſon, having the moſt immediate intereſt, to be preferred, where more than one petition. *ibid.* 31.

This act not to extend to leaſes made by guardians or cuſtodies of idiots or lunaticks. *ibid.* 32.

Allowance to the guardians of infants for ſums paid for trees. *ibid.* 33.

Tenants for life, purchaſing trees, to ſtand in the place of the planters. *ibid.* 34.

Damages to be aſcertained on petition of the tenant. *ibid.* 35.

Fees to the clerk of the peace, for proceeding on petitions. *ibid.* 35.

Wool, &c.

12 *C.* 2. c. 32. *Eng.* None ſhall export from Ireland to Scotland, *&c.* or any foreign parts, any wool, *&c.* of the growth thereof, on pain of 20 s. for each pound of wool, *&c.* Wool, *&c.* 1.

13 & 14 *C.* 2. ſeſſ. 2. c. 18. *Eng.* None ſhall ſcrew, *&c.* with engines, *&c.* any wool into bags, *&c.* to be tranſported, *&c.* from England or Ireland, *&c.* *ibid.* 12.

1 *W.* & *M.* ſeſſ. 1. c. 32. ſ. 8. *Eng.* Maſters, *&c.* diſcovering any wool, *&c.* in three months, ſhall not be ſubject to the penalties, *&c.* *ibid.* 18 to 22.

10 & 11 *W.* 3. ſeſſ. 1. c. 10. *Eng.* Penalty on any exporting, *&c.* from Ireland, other than to England, any drapery or woollen manufactures, &c. or putting the ſame in any veſſel, &c. with intent to export the ſame, &c. *ibid.* 26.

No indictment, &c. in Ireland, unleſs the offender be convicted thereon, ſhall be a bar to any indictment, &c. in England. *ibid.* 28.

Any perſon may ſeize the ſhip, and all wool, &c. laid on board ſhips, &c. with intent to be exported contrary to this act. *ibid.* 29.

Ships before they take on board any wool, &c. on pain &c. to give bond, &c. to land ſuch wool in England, &c. *ibid.* 30.

A regiſter to be kept in London of the quantity of goods imported from Ireland. *ibid.* 31.

Cockets for ſaid goods to be on paper, and by whom ſigned, &c. *ibid.* 32.

The commiſſioners, &c. in Ireland to ſend every ſix months a certificate, &c. of ſuch goods, &c. to the commiſſioners, &c. in England, to be compared with ſaid regiſtry. *ibid.* 33.

Forfeiture, &c. on commiſſioners failing, &c. in their duty. *ibid.* 35.

Offence where to be tried, &c. *ibid.*

The general iſſue pleadable on executing this act, and treble coſts recoverable. *ibid.* 36.

Aſſignments, &c. of the penalties of ſaid bonds void. *ibid.* 37.

Four men of war, &c. to cruize on the Iriſh coaſts, to ſeize all ſhips carrying wool to foreign parts. *ibid.*

Ships ſeized, &c. by them ſhall be forfeited, &c. *ibid.*

This act to be given in charge, when, and by whom, and to whom, &c *ibid.* 41.

3 *G.* 1. c. 21. *Brit.* A moiety of the forfeitures on the act of 10 *W.* 3. given to the King. *ibid.* 42.

Actions in Ireland relating to the exportation of wool, &c. ſhall be tried by a jury of any other county, than where the fact was committed, &c. *ibid.* 43.

4 *G.* 1. c. 11. *Brit.* Perſons impriſoned for want of bail, for unlawful exportation of wool, &c. and refuſe to plead to declaration, judgment ſhall be entered againſt them by default, &c. *ibid.* 44.

5 *G.* 1. c. 11. *Brit.* Any woollen manufacture laid near the ſea, &c. to be conveyed out of Ireland to foreign parts, forfeited, &c. *ibid.* 45.

6 *G.* 1. c. 21. *Brit.* Commiſſioners of exciſe in Ireland to determine all offences relating to the unlawful exportation of wool, &c. *ibid.* 47.

None to claim property in any ſeizures of wool in Ireland till they give ſecurity to anſwer the penalty attending the forfeiture, &c. *ibid.* 48.

5 *G.* 2. c. 21. *Brit.* The admiralty to order ſhips, and how many to cruiſe on the coaſts of Great Britain and Ireland, to ſeize all ſhips, &c. in which any drapery, &c. ſhall be ſhipped, &c. in order to be exported from Ireland to foreign parts, &c. *ibid.* 50.

The commander of every ſhip may ſearch all ſhips, &c. and if he finds any of the ſaid goods on board, he may ſeize the ſhip, &c. *ibid.* 51.

Ships, &c. ſo ſeized, and the prohibited goods forfeited, &c. and to be ſold, &c. *ibid.* 52.

The general iſſue may be pleaded, and treble coſts given on this act, and none to claim property of a ſeizure

Wool, &c.

of wool, till he enter into a recognizance, &c. to anſwer the penalties. *ibid.* 53.

All former penalties in relation to wool, are confirmed by this act. *ibid.* 54.

12 *G.* 2. c. 21. Subſidies on woolen or bay yarn, imported from Ireland, ſhall ceaſe. *ibid.* 56.

Not to extend to the duties on worſted yarn of 2 or more threads, or cruel imported. *ibid.* 57.

Ports appointed for importation of wool, &c. from Ireland. *ibid.* 58.

Ships importing wool, &c. to be Britiſh or Iriſh, and regiſtered, under penalty of forfeiture of the goods and ſhip. *ibid.* 59.

Ships not to be deemed Britiſh or Iriſh, 'till regiſtered. *ibid.* 60.

New regiſtry to be made on change of a ſhip's name, or a tranſfer. *ibid.* 61.

Waddings, &c. not to be exported under like penalties as wool. *ibid.* 62.

Packing wool in boxes, casks, &c. the penalty. *ib.* 63.

Notice to be given to officers of the numbers and marks of packages of wool, &c. *ibid.* 64.

Bonds to be given and licences taken. *ibid.*

Goods to be landed or ſhipped in the preſence of an officer appointed to attend the ſame. *ibid.* 66.

Informations for ſeizures of wool, &c. to be entered in the name of an officer only. *ibid.* 67.

Saving the power given to the officers of his majeſty's ſhips of war. *ibid.* 68.

Penalty of 200l. on officers making colluſive ſeizures. *ibid.* 69.

Rewards to perſons diſcovering colluſive ſeizures. *ibid.* 70.

Proſecution for offences may be made by the revenue laws in Ireland. *ibid.* 71.

Forfeitures and penalties to the uſe of the informers, &c. *ibid.* 72.

A moiety of the money recovered on ſeizures, &c. to be to the informers. *ibid.* 74.

Rewards out of the publick money to informers, where the offenders are inſolvent. *ibid.* 75.

Encouragement to maſters and mariners diſcovering offences. *ibid.* 76.

Who are to be eſteemed officers for executing this act. *ibid.* 77.

Penalty of 300l. for offering bribes to officers. *ibid.* 78.

Perſons oppoſing officers, or being armed with offenſive weapons, or wearing diſguiſes, or reſcuing goods, to be tranſported. *ibid.* 79.

Aiders or abettors to perſons tranſporting wool. *ib.* 80.

Penalty of 500l. on inſuring wool clandeſtinely exported. *ibid.* 82.

The like penalty on the perſons making ſuch inſurance. *ibid.* 83.

Encouragements for diſcovering ſuch inſurances. *ib.* 84.

Penalties concerning inſurances recoverable in the exchequer in Ireland, in the name of the attorney-general, or any officer of the cuſtoms or exciſe. *ibid.* 85.

All polices of inſurances for ſhips having wool on board, are declared to be void. *ibid.* 86.

General iſſue pleadable and treble coſts given. *ibid* 87.

Wool, &c.

33 *G.* 2. c. 10. No duty of poundage to be paid on exportation of bay and woollen yarn to Great Britain. *ib.* 88.

26 *G.* 2. c. 11. Wool, &c. may be exported from any port in Ireland, to any port in Great Britain. *ibid.* 89.

Wreck.

3 *E.* 1. c. 4. *Eng. Weſt.* 1. Where a man, cat or dog escape alive out of a ſhip, the ſame ſhall not be adjudged a wreck, &c. WRECK, 1.

17 *E.* 2. c. 11. *Eng. Prerog. Reg.* The king ſhall have wreck of the ſea, and have whales and ſturgeon. *ibid.* 2.

4 *G.* 1. c. 4. Penalty on ſheriffs, juſtices of the peace, &c. not aſſiſting ſhips in diſtreſs, and how the goods ſaved from wreck, &c. are to be diſpoſed of, &c. *ibid.* 3 to 7.

Penalty on perſons fixing falſe lights to endanger ſhips, &c. and the general iſſue pleadable on this act, and to be read when and where. *ibid.* 8 to 12.

17 *G.* 2. c. 11. Perſons aggrieved by any erroneous judgment of the juſtices of peace in relation to diſputes between the maſter of any veſſel, &c. forced on ſhore or ſtranded upon any coaſt, and the officer of the cuſtoms touching the money deſerved by any of the perſons employed in ſalvage, to whom they may appeal, &c. *ib.* 13.

Appeal in what time to be brought. *ibid.* 14.

In caſe petition of appeal ſhall be preferred to the lord lieutenant, &c. notice to be ſerved on the officer of the cuſtoms, and how many days before hearing. *ibid.* 15.

Perſons concerned in ſuch adjuſtment failing to appear, lord lieutenant may proceed, &c. *ibid.*

Perſons appealing failing to proſecute, &c. or if ſuch adjuſtment ſhall be confirmed, lord lieutenant, &c to award coſts to the parties employed in ſuch ſalvage, &c. *ibid.* 16 to 23.

Writ of entry.

52 *H.* 3. c. 30. *Stat. of Marleber. Eng.* Where a writ of entry cannot be given in the uſual form, the plaintiff ſhall have a writ of ſeiſin. WRIT OF ENTRY.

Yarn.

7 *G.* 2. c. 9. Dimenſion of the ſnap-reel and the number of threads in each cut. YARN, 1.

Penalty on reel-makers and ſpinners offending. *ibid.*

Allowance for miſtake if no more than 6 threads are wanting in a cut. *ibid.* 2.

Satisfaction for embezeling or detaining by combers and ſpinners. *ibid.* 3.

Inveigling ſpinners to change wool left to be ſpun. *ibid.* 4.

Penalties to the uſe of the informers, and the method of recovering them. *ibid.* 5.

31 *G.* 2. c. 10. The preceding act made perpetual. *ibid.* 6.

Dimenſions of reels for bay yarn and cotton yarn. *ib.* 7.

Spinners making up ſkains of leſs dimenſions or fewer cuts or threads, the penalty. *ibid.*

Penalty on conviction for a further offence. *ibid.*

33 *G.* 2. c. 5. Dimenſions of reels for cotton yarn, and the cuts and threads in each hank. *ibid.* 8.

THE END.

FH
MVSEVM
BRITANNICVM